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Canada Royal Commission on
Pilots

Hearings 1963

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ROYAL COMMISSION

ON

28
PILOTAGE

HEARINGS

HELD AT

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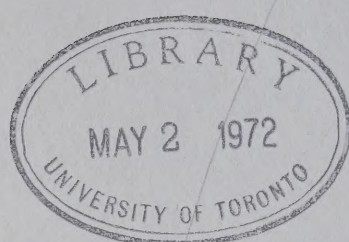
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ROYAL COMMISSION ON MARINE PILOTAGE

Proceedings of the hearing
held at the Court House,
Montreal, Quebec, on the
9th day of July, 1963.

COMMISSION:


The Honourable Mr. Justice Bernier	Chairman
Robert K. Smith, Esq., Q.C.	Member
Harold A. Renwick, Esq.	Member
Mr. Gilbert Nadeau	Secretary

COMMISSION COUNSEL:

Mr. Maurice Jacques	
Mr. Leopold Langlois, Q.C.	for the Canadian Merchant Service Guild

PRESENT:

Mr. J. Brisset	for the Shipping Federation of Canada
Mr. J.M. Jacques	for the National Harbours Board
Mr. J. Mahoney) Mr. C. Mason)	for the Dominion Marine Association
Mr. Marc Lalonde	for the Federation of St. Lawrence River Pilots; Corporation of the Lower St. Lawrence Pilots; the Corporation of the Mid-St. Lawrence Pilots; the Corporation of the Montreal Harbour Pilots; the Corporation of the St. Lawrence River and Seaway Pilots; the Corporation of the Upper St. Lawrence Pilots
Captain J.S. Scott	Technical Advisor to the Commission
Captain F.S. Slocombe	for the Department of Transport and liaison officer



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French1

Montreal, Quebec,
Tuesday,
July 9th, 1963.

---Upon resuming at 10.00 a.m.

W. A. W. CATINUS, recalled and sworn

MR. JACQUES: May it please the Commission,
in relation to the terms of reference of the Regional
Superintendent, I would like to file as Exhibit 542 the
employment requirements and the extent of authority given
to the Regional Superintendent of Pilots, which are set
out on forms of the Civil Service Commission of Canada,
containing the offer of employment. The forms are
filled both in English and in French.

--- EXHIBIT NO. 542: Employment requirements and
authority of Regional Superinten-
dent of Pilots.

CROSS-EXAMINATION BY MR. LALONDE (contd.):

Q. Mr. Catinus, you have mentioned in reply
to a question from the Commission counsel that pilots
have received an instruction in order to write down
the licence number of boats which gave trouble to the
traffic on the St. Lawrence? You have given instruc-
tion to the pilots to write these numbers down?

A. Yes, that is true.

Q. I think my learned friend Mr. Jacques
mentioned yesterday that the bylaws provided that these
licences must be indicated on the front of the boat in
three-inch block characters. Is it easy for the pilot,
for example, in the Montreal District, to watch for
navigational difficulties in that respect, and to write
down the licence numbers of the boats?

A. Well, this is no easy matter, but they



1 could always ask the officer on duty for the number. In
2 general they are more busy with the different
3 manoeuvres, and it is quite hard to take down the number.

4 Q. Moreover, is it not true that even an
5 officer on the bridge of a ship could have trouble from
6 where he is standing to identify the different licences
7 of boats, especially when they are only on the bows of
8 the boats?

9 A. If there is a distance there is trouble,
10 but if the visibility is good and they go near enough
11 to these boats, there is no trouble.

12 Q. Under the condition, naturally, that
13 the boat be not diagonal to the ship?

14 A. Well, naturally that is true.

15 Q. The sketch of the Three Rivers works
16 undertaken in order to build the Three Rivers bridge,
17 have these sketches been distributed to other people
18 besides the pilots in the Montreal District?

19 A. Well, I sent them to Canada Steamship
20 Lines, because they have ships that go to Tadoussac, and
21 I sent them also to the authorities in Ottawa, and in
22 reply to that they told me that they would send a Notice
23 to Mariners for those who didn't receive this sketch.

24 Q. Is this Notice to Mariners issued yet?

25 A. I have not received it yet.

26 Q. When did you send these documents to
27 Ottawa?

28 A. The letter was dated -- well, actually
29 it would take a little while, but when I read the letter
30 that I sent to the authorities ---



French 1

Q. Perhaps you could give us an approximate date? I don't need the exact date.

A. If you will allow me, I am going to look at my files.

I don't have the letter in my files, but the answer that I received from the authorities in Ottawa is dated June 25th. I think that my letter had a date of approximately the 10th of June.

Q. So, on June 10th you sent some sketches of the works of the Three Rivers bridge, and you say on the 25th June you received a reply from Ottawa?

A. Well, the date on the letter is June 25th.

Q. So you received a reply from Ottawa dated June 25th, and your Notice to Mariners has not yet been published, or issued?

A. That is right.

Q. Which naturally would give us a delay of a month between the time you sent your letter to Ottawa and today without there being any publication of the Notice to Mariners?

A. Well, this is not quite true, and I was quite busy this week, and last week, as you know, and it is quite possible that this Notice to Mariners has reached me, and I have not seen it yet. At any rate, the letter of June 10th was the first letter, and later on I sent another letter, dated June 26th:

"Enclosed are sketches from the company . . ."

Q. So in the letter of June 10th you



French 1 didn't have the sketches yet?

2 A. Unfortunately I don't have the letter
3 with me.

4 Q. Now, these meetings which you had with
5 the representatives of the Three Rivers Bridge Corpora-
6 tion, by whom were they convened?

7 A. Well, as soon as I received a complaint
8 concerning the start of their work around the side of
9 the bridge, I received a note from Captain Hamelin.

10 Q. Who is Captain Hamelin?

11 A. The President of the Pilots Committee
12 this year. Then I went to see Mr. Stutchbury, who is
13 the Three Rivers engineer who works on that bridge, and
14 I explained to him that we need information, and I
15 explained to him all the dangers that might be caused
16 to the vessels. The meeting was held two or three
17 days later, and at that meeting there was Mr. Boudreau,
18 Mr. Stutchbury, Mr. Hamelin, Mr. Tremblay, and others.

19 Q. So that was a complaint that had been
20 made by the pilots?

21 A. Yes, it was a complaint that was sent
22 by Mr. Hamelin.

23 Q. You mentioned that you remember only
24 one case where agents complained because pilots wanted
25 to obtain some tugs in the Montreal harbour, I suppose?

26 A. Well, at that time I was thinking about
27 the Montreal harbour and a matter which held all my atten-
28 tion as Supervisor.

29 Q. Are you aware of cases where the agents
30 may have called tugs without the ship's master nor the



French1 pilot recommending the use of tugs?

2 A. Well, I have heard about that. Some
3 times some tugs are ordered, and then are waiting by
4 without having been requested by the pilot. Naturally
5 there is an occurrence on both sides. Whenever the tugs
6 come, and they are not ordered, and vice versa, when they
7 don't come and when they have been ordered.

8 Is it permitted to explain an answer
9 which I gave yesterday concerning information I received?

10 Q. Well, if the Commission so desire.

11 A. Well, my lord, concerning information
12 which concerns policy say, for instance, the St.
13 Lambert Lock and also from the harbour pilots, I was
14 asked to what extent I was informed. Well, I want to
15 explain that I was talking about the correspondence
16 about that matter as a matter of fact, although I wasn't
17 there myself, I was asked to arrange the meeting with the
18 Deputy Minister, and later on naturally I was informed,
19 but it was only by phone. I have not received a copy
20 of the letter of the Deputy Minister, but I am always
21 in contact by phone.

22 Q. Would you please tell us if the service
23 you give during the weekend is exactly the same as is
24 given during the week in your different pilotage stations?

25 A. Concerning the staff?

26 Q. Yes, sir?

27 A. Well, about the staff in the pilotage
28 stations I would like to refer to the list that may be
29 given to you in order to find out who is at the office,
30 but I must tell you that during the weekends for example



French

1 the Supervisor isn't at the office, nor am I, but we may
2 be reached by phone. For the detail of who is at the
3 office, the Supervisor could give you all the details
4 concerning the Montreal, Three Rivers and Sorel office.

5 Q. I am not interested in the names of
6 the personnel, but my question is if during the weekend
7 you have exactly the same staff, to give exactly the
8 same service given by the same number of persons, the
9 number of staff on duty?

10 A. I understand your question, but in
11 order to explain, the chief despatching clerk, and all
12 those who work during the week, and to start their week
13 on Friday night, all of those who work during the weekend
14 are on this sort of duty during the week, and they stay
15 home, but they may be reached by phone, but we have a
16 different staff sitting by the phone during the weekend.

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French 1

THE CHAIRMAN: I think that here we

must indicate if we are talking about the Regional
Office or the District Office.

THE WITNESS: My lord, I am talking
about the District Office, because at the Regional Office
I am alone over there with a secretary.

MR. JACQUES: May it please the Commis-
sion, Mr. Warnock, the Chief of Staff of the Montreal
District, will be called upon as a witness in order to
give evidence concerning the number of persons under
him and the number of persons who are on duty. Mr.
Viau, who is the Chief Despatcher, will also be called
as a witness to give evidence as to the number of staff
and the way in which the work is done at the Pilotage
Station.

THE CHAIRMAN: My question was only
for the files, so there might not be any confusion, in
order to find out if we were talking about Montreal
District office or that of the Regional Superintendent.

Q. So, if I understand you correctly, at
the Regional Office there is only you and your secretary?

A. That is true.

Q. If I understand you properly as well,
during the weekend you have only have some staff of a
lower level; you do not have people who have a superior
position or, rather, superior officers of the station
are not there during the weekend?

A. It is true that they are not on duty
during the weekend. They can always be reached by
telephone. But they are not on duty during the weekend.



French 1

Q. And does this same thing happen in

2 Sorel and Three Rivers?

3 A. In Sorel it is not exactly the same
4 thing. We have four clerks there who work there. I
5 think Mr. Monarque could give you all the details about
6 that. The same thing applies at Three Rivers; we have
7 an officer in charge who is not there during the weekend.

8 Q. And this applies also in the case of
9 long weekends, for three days, Saturday, Sunday and
10 Monday; you have no officer in charge on duty during the
11 three days?

12 A. This is true.

13 Q. To your own knowledge, is the same staff
14 on duty, exactly the same number of persons?

15 A. Once more, I would like you to ask that
16 question of Mr. Monarque, who will give you all the
17 details.

18 Q. Do you think that Mr. Monarque can
19 answer in so far as Three Rivers and Sorel are concerned?

20 A. I think so, because he is concerned
21 with those two stations as well.

22 Q. Thank you. To your own knowledge, are
23 there any bylaws concerning the assignment of pilots to
24 ships or despatching pilots in all districts?

25 A. This is true. Mr. Viau can certainly
26 give you details concerning the Montreal office.

27 Q. Have you worked in the preparation of
28 those bylaws?

29 A. No. The Supervisor did.

30 Q. You did not take part in any meetings of



French 1 committees to that effect?

2 A. No.

3 Q. Now, Mr. Catinus, I would like to refer
4 you to a certain number of exhibits that you have filed
5 or, rather, that have been filed by the legal counsel
6 of the Commission, concerning your evidence and more
7 especially Exhibits 527, 526.

8 MR. LALONDE: Could we give a copy of
9 these documents or these exhibits to the witness?

10 Q. If you first take the list of accidents
11 or casualties, Exhibit 527, covering the years 1956 to
12 1962, in the first place can you please tell us if that
13 list includes only the serious casualties or accidents,
14 or does it also include of incidents -- what are called
15 "incidents"? For example, there is a buoy that has
16 been hit, which gives rise to \$200 in damages, and so
17 forth; do you think that this list includes all types
18 of accidents and incidents as well?

19 A. To answer properly, I would like to refer
20 to the report that I have in my office, but it seems to
21 me that there are certain incidents which are also in-
22 cluded in that list. They are called in English a
23 type of routine report.

24 Q. I believe that this list has been pre-
25 pared after having consulted all the reports that you
26 have received at your office since 1956?

27 A. Yes, according to what we have in the
28 office, yes; but I must say that I was not there before
29 1962.

30 Q. I understand that very well. But, just



French 1 the same, that list has been compiled with the help of
2 the report that you had at your office?

3 A. Yes.

4 Q. I have compiled these different accidents
5 ever since 1956 and I have noticed that the total number
6 of accidents and incidents as well at the Montreal
7 District went, in 1956, from eighty to fifty-nine in
8 1962. The figures were: 1956, 80; 1957, 79; 1958,
9 54; 1959, 59; 1960, 66; 1961, 66, and 1962, 59. Now,
10 I compiled all the causes shown in that report. Do
11 you think that those causes have been determined or,
12 rather, were the result of the investigation which has
13 been done by an officer of the Department after these
14 incidents? For example, in 1962, the year for which
15 you were responsible ---

16 A. I would like if possible -- for the
17 year 1962, I could answer your question more accurately
18 if I could bring with me the letters that I have
19 written concerning accidents.

20 Q. My question is, for example, in the
21 first case you have "steering gear failure" under
22 "Cause". Who determined that the cause of the inci-
23 dent or accident was steering gear trouble or failure in
24 the manouvring of the ship so that the report of the
25 ship was made after your investigation?

26 A. I must tell you once more that at that
27 date I did not have the information. I wasn't there.
28 Maybe we can start with the month of July.

29 Q. Take any case you want. The idea is
30 to try to find out if such a cause was determined or



French 1 verified by somebody from the Department?

2 A. When I receive a report, unless it is
3 self-explanatory -- there are occasions where we can
4 see in the report itself that this is something quite
5 clear. When it is not too clear, I always speak to the
6 pilot and, if necessary, I go aboard the ship and before
7 sending the report I find out by myself.

8 Q. So we have therefore established that
9 the causes which are mentioned here have been, in each
10 case, revised by yourself?

11 A. Yes. But I would like to see my re-
12 port and look at them, one against the other, because
13 this list has not been prepared by myself.

14 Q. But it has been prepared from the docu-
15 ments which you have in your files concerning such inci-
16 dents?

17 A. I think this list has been prepared
18 because I send all this to Ottawa, usually, and I think
19 that in this case this list has probably been prepared
20 according to the documents which are sent to Ottawa.
21 But I would prefer to check it.

22 Q. Let us say that the list has been pre-
23 pared in Ottawa. I think we can presume that nobody
24 has intervened to try to falsify your reports?

25 THE CHAIRMAN: Except if Ottawa has
26 conducted any survey to obtain this information.

27 MR. LALONDE: This is true, your
28 lordship. In this case I would like the concerned
29 person to be called as a witness.

30 THE CHAIRMAN: Of course, you could, but



French 1 what the witness says here can help you if you can take
2 certain particular cases and verify with his report
3 to see if what you have in the list is the same as what
4 he has in his report.

5 Q. Do you have with you your report by
6 which you can verify the 1962 list in your office?

7 A. There are some incidents which I
8 remember better than others. For instance, in the
9 month of August there is the "Athe1 Templar", which
10 collided with the "Montrealais", which was anchored at
11 Lanoraie. When I received the information about this,
12 I wondered about the ship and the cause is the steering
13 gear, and I wanted to check if this was the proper
14 cause. I got a report from the captain also and
15 after completing my inquiry I sent this report and after
16 three months it was indicated that this was steering
17 gear failure and I confirmed that.

18 Q. If you look at the rest of the list
19 of accidents for that year, can you see one where the
20 cause which is indicated would seem to be different from
21 the one which you have indicated in your report to
22 Ottawa?

23 A. I do not think it is possible to answer
24 that question without checking this list with my
25 reports. I am looking to see if there are others which
26 I can remember, if you can give me a few minutes.

27 THE CHAIRMAN: Mr. Lalonde, while we
28 are on this subject, it might be good for what you seem
29 to be seeking if Mr. Catinus could be able to make such
30 a verification and if the witness comes to us later with



French 1 certain reports which he has sent, which show different
2 causes than that in Ottawa, this would prove that Ottawa
3 might have conducted surveys. You want to find out
4 if this report indicates always what Mr. Catinus has
5 sent to Ottawa. So maybe we can ask the witness to
6 verify the accident report which he has sent to Ottawa.

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French 1

Q. Anyway, your lordship, for what I am
trying to obtain right now it would be sufficient if
we could assume for the present time, if we can postulate
that the causes that are mentioned here are those without
any supplements which have been reported to Ottawa by
Captain Catinus, and further evidence was filed at the
occasion?

A. For instance, there is one which I
remember, the "Ingerbaston", which had an accident, and
I can say that the reason indicated there was exact,
the right reason.

THE CHAIRMAN: What had caused the
accident according to your file?

THE WITNESS: A pilot's error. It is
written in English, and I can see that the following date
is October 10th, "Caroline Smith". This is something
that I can remember, and I can affirm that the cause was
the current.

In the month of November, November 26th,
"Charles A. Jarvis", I think the report was submitted
by Captain Gendron, and the investigation is not yet
completed. In December, "Griffin", this is correct.
I can remember it.

Q. Captain Catinus, any way, one thing is
certain, and that is that the causes which are indicated
here aren't a reproduction of the report of the pilot
who was involved in the accident?

A. Well, when the pilots make their report
I read it, and make my report.

Q. In all cases the reasons which are given



French 1 here have been revised by yourself, and maybe by civil
2 servants in Ottawa?

3 A. Well, not always. For instance -- just
4 a minute, please. For instance, in the case which took
5 place November 27th I have received a report about a
6 collision, and according to what I have seen in the
7 report of the pilots -- there were two reports by two
8 pilots, because there were two ships involved -- I only
9 forwarded the reports because it seemed to me that this
10 was a case where an investigation should be made by the
11 accident investigator, Captain Gendron. Where it seems
12 to me that it is a sufficiently serious accident, I
13 forward it directly to have an investigation made by
14 the accident investigator.

15 Q. All right. Once more we are not
16 talking about reports that pilots could have made, say,
17 for instance, steering gear failure, and you just take
18 this and you don't verify them?

19 A. Secondly, there are cases which I could
20 point out to you where we don't need to ask questions.
21 For instance, I remember once where it was absolutely
22 certain that a ship was going forward when it should have
23 been going astern, and there was no doubt that it could
24 not have been a mistake by the pilot. This was a mis-
25 take by the engineers.

26 THE CHAIRMAN: How do you get this
27 information?

28 THE WITNESS: Well, your lordship, I
29 speak, if necessary, with the captain of the ship or
30 with the pilot, to get him to elaborate his report.



French 1

2 THE CHAIRMAN: Do you speak with the
3 captain of the ship?

4 THE WITNESS: Yes.

5 THE CHAIRMAN: With the engineer officer,
6 if necessary?

7 THE WITNESS: Yes, if it seems to me
8 that it is quite serious I will ask for a report from the
9 captain and from the officer on duty, and from the
10 engineer, and when these reports are received I send
11 them to Ottawa for serving.

12 Q. So if we take the report of 1962, can
13 you tell me how many accidents, or incidents appear
14 as being caused by pilots' errors?

15 A. According to this list, you mean?

16 Q. Yes.

17 A. Four times in 1962 is pilot error,
18 according to the list which I have in front of me.

19 Q. Could you tell us how many trips have
20 been made by pilots from the Montreal District during
21 the year 1962? If I look at your report from June
22 25th, 1962, it seems that there have been 18,135
23 trips, right? It is the third line on the first page,
24 Montreal District.

25 THE CHAIRMAN: On which exhibit, please?

26 MR. LALONDE: Exhibit No. 534.

27 THE WITNESS: 18,135, yes. Once more,
28 as far as this list is concerned, it would be much more
29 exact if I could bring all the reports which I have
30 received on accidents during 1962 for the Montreal
District, because there might be some other minor



French 1 accidents which aren't serious, but which might be due
2 to the pilot's error or which might not be. When I
3 am counting the four here which are indicated as pilots'
4 errors, this is only according to the list. I would
5 like to have all my reports here in order to answer the
6 question correctly.

7 Q. Would you like to verify when you have
8 the opportunity on previous lists, and according to the
9 calculation which I have made it would seem at first
10 sight, I can't guarantee the arithmetic in this, that
11 from 1956 to 1961, due to pilots' errors, 1956 two;
12 1957, 1958 and 1959, none; 1960, five; and 1961, four.
13 You can verify according to this list and tell me if
14 I am right. You can do this during the lunch hour, if
15 you like.

16 A. Well, no, I wouldn't have the time.
17 It would take some time.

18 Q. All I did was to count the mentioned
19 pilots' errors ---

20 THE CHAIRMAN: It will not be necessary
21 for you to make this calculation, Mr. Catinus, because
22 the Commission can do it.

23 THE WITNESS: Thank you, your lordship.
24 I understand that the Commission has good accountants.

25 Q. If we take Exhibit 534 which you intro-
26 duced, your letter dated June 25th, 1963, I see that
27 you talk about the District of Montreal, and in the
28 first paragraph you show an increase of 1.88 for
29 ocean-going ships, 67.4 per cent for coastal ships,
30 an increase of 18.72 per cent for vessels navigating



French 1 on the inland waters.

2 I have myself added all these vessels
3 in order to compare the total increase or decrease with
4 the year 1961, and I arrive at the result of 6,092
5 ships, compared with 5,913 in 1962. The first figure
6 was for 1961. We therefore have a decrease for 1962.

7 Now, I have a question here. The
8 number of ships indicated here, are they all ships which
9 have taken pilots aboard, or at least which have paid
10 pilotage fees?

11 A. There are details. My office has
12 looked for these details, but certainly I think that I
13 could say that we have no information on those who have
14 no pilots. We are only interested in those who have
15 pilots.

16 Q. These have been taken from the pilots'
17 cards?

18 A. Yes.

19 Q. I have compared 1961 with 1962, and we
20 come to a decrease of the total number of vessels which
21 have paid pilotage dues in 1962 of 2.74 per cent, close
22 to 3 per cent.

23 In 1961, you continue in the second
24 paragraph and say that there has been an increase in
25 the income of the District of 8.383 per cent?

26 A. Could you repeat, please?

27 Q. In 1961 you have an increase in the
28 pilotage income of 8.383 per cent?

29 A. This is right. On all these questions
30 the investigation has been made in my office.



French1

MR. LALONDE: Well, I take it on the

2 face of the document. I am not contesting the validity
3 of these figures.

4 THE WITNESS: Well, of course I am not
5 an accountant either. This information is given to me.

6 Q. If we wanted to compare the real in-
7 crease of the total income in 1962 compared to 1961, we
8 could proceed just by adding the increase of 8.383 to
9 the increase of the number of vessels, in order to
10 compare with 1961, and see what increase there would
11 have been in the scale, for instance, for the same
12 number of vessels. Right?

13 A. Yes.

14 Q. I have made this calculation, and I
15 come to a real increase of 11.323 per cent on the
16 previous year?

17 A. Yes.

18 Q. This can be due, of course, to various
19 factors. Either an increase in the scale, or an
20 increase in the tonnage of the ships, as the fees are
21 based in the District on the draught and tonnage of the
22 ships?

23 A. Yes.

24 Q. If you take the District of Cornwall
25 now, you report an increase of 4.2 per cent in the
26 number of ships?

27 A. Yes.

28 Q. And you report an increase of 1.56
29 per cent in the total income of the District?

30 A. This is right.



French 1

Q. Which means that if we compare it with
1961 for the same number of ships with pilots aboard, or
for the same number of pilotages, we would have to take
4.21 per cent from 10.56 per cent?

A. That is right.

Q. And you would then have a real increase
of 6.36?

A. Yes.

Q. Take page 3, the District of Montreal
Harbour, and I see that we are always talking about
the Harbour of Montreal. I think, your lordship, that
there is an error here. The pilotage bylaws for
Montreal has Part III, which concerns pilots of the
Harbour of Montreal, the Harbour of Montreal being
divided into sections, or zones, but the harbour is not
a District by itself. According to the Canada Shipping
Act it is subdivided.

Anyway, you have Montreal Harbour
District. You have a decrease of 2.055 per cent in
the number of movages of ships which has been made by
the pilots, and you mention an increase in the income
of 1.316 per cent in the next paragraph. Therefore,
if there has been an increase in the number of movages,
if we wanted to compare 1961 with 1962, in order to
obtain a fair comparison for the same number of ships,
we would have to have a decrease in 1962 in the number
of movages?

A. Except that I see here due to increase
in tariff, and this might falsify the figures a bit.

Q. Yes, never mind the reason. If you



French 1 wanted to compare, you have to add the movages, and
2 this would give you a real increase of 3.371 per cent,
3 wouldn't it?

4 A. Yes.

5 Q. And I see at the end of the form that
6 you have established percentages of accidents, or
7 incidents, compared with the number of pilotages which
8 have been carried out.

9 Did you calculate this year's, or was
10 this done at your office?

11 A. It was done at my office.

12 Q. In these reports it is indicated that
13 you would have at the same time the incidents, accidents,
14 those which are due to pilots' errors, as well as those
15 which are due to other factors?

16 A. Yes, this is right.

17 Q. Could you refer to Exhibit No. 526.
18 I see that this is income of pilotage in the Montreal
19 District. You indicate first that from 1960 and
20 before there was no fee based on tonnage. Was the
21 fee based only on draught?

22 A. I have no knowledge of what was taking
23 place before 1962.

24 Q. All right. Now, you indicate an
25 income under the total ships from and into the Seaway,
26 which in 1959 was \$11,365.96. I think this is the
27 sum of \$20 which is given to the pilots who are coming
28 from the river and will bring a ship into the Seaway?

29 A. I think we should have somebody else
30 to explain this. Of course, you have to add to this



French 1 \$3 for taxi, but Mr. Pare or Mr. Melanson will testify
2 as to this.

3 Q. But none of these figures appear here?

4 A. No, I couldn't testify as to them.

5 Once more I will have to refer you to Mr. Pare and Mr.
6 Melanson.

7 Q. You show \$1,735, 250.56, and I can
8 find that in Exhibit No. 534. In your report it is
9 indicated that from this 10 per cent has been withdrawn
10 as a contribution to the pension fund?

11 A. Yes.

12 Q. \$173,527.56. Is there any special
13 reason why this is not mentioned on the financial report
14 which is produced here?

15 A. No, I don't know the reason.

16 Q. I see that you reach some 2,400
17 pilots, some 6,200 of pilots, some one-tenth of pilots,
18 and half pilots. What do you mean by effective pilots?

19 A. Which document?

20 Q. Exhibit 526, the fourth line starting
21 from the bottom on the first page. Effective pilots
22 is what they are called in this document. You have
23 mentioned here the number of effective pilots under the
24 item Individual Earnings on the fourth line starting
25 from the bottom of the page?

26 A. Once more I will refer you to the
27 Supervisor to explain exactly how he has arrived at
28 the figures. Maybe I could explain this simply.
29 Let us say if there were 100 pilots during the entire
30 season, let us say that one pilot was sick for six



French 1 months, the effective pilots would be 99.5 per cent,
2 but the Supervisor could explain this better than myself.

3 Q. You have no sufficient personal know-
4 ledge to give evidence on this?

5 A. I couldn't tell you exactly how these
6 have been reached.

7 Q. You have mentioned on page 2 of Exhibit
8 No. 526, which is called "Average Trip Duration". What
9 do you mean by a trip?

10 A. On that letter I think it would be
11 possible to have different opinions. A trip from the
12 beginning to the end, well, if it is compared with
13 another trip, for example a trip that doesn't go direct
14 from Montreal to Three Rivers, could be understood as a
15 part of a trip.

16 Q. What I wanted to know is what is meant
17 exactly by the average duration of a trip as shown on
18 page 2 of this Exhibit?

19 A. If you notice there, we have nothing for
20 1962 and before that year. I would like to refer you to
21 Captain Gendron or the Supervisor.

22 Q. Who would have that document?

23 A. Well, the details have been prepared
24 by the Supervisor in our Montreal office.

25 Q. Who prepared Exhibit 526, which you
26 have before you?

27 A. The details have been prepared and
28 sent by the Supervisor Mr. Melanson.

29 Q. Do you mean that the document itself
30 as a whole has been prepared by Ottawa?



French 1

A. No, it has been sent to Ottawa.

2 Q. But this document which you have filed,
3 was it sent from Ottawa, or did you prepare it in your
4 office in Montreal?

5 A. This document has been prepared in my
6 office in Montreal, and then sent to Ottawa.

7 Q. Who prepared it?

8 A. It has been prepared by Mr. Pare and
9 Mr. Melanson according to their reports.

10 Q. Could you testify as to anything con-
11 tained in those documents?

12 A. No, not about the figures. I accept
13 the figures because they are according to the reports.

14 Q. Now, with reference to Exhibit 527,
15 and concerning the Montreal Harbour pilots, do you think
16 that the situation is the same?

17 A. Yes.

18 Q. You can't testify about the interpreta-
19 tion to be given to that document?

20 A. Well, I would like to refer that to the
21 Supervisor as well as to Mr. Pare.

22 Q. You have jurisdiction over the pilots
23 in the Cornwall District?

24 A. That is true.

25 Q. Do you know that the pilots of the
26 Cornwall District take ships up to the Snell Lock in
27 American territory?

28 A. Yes.

29 Q. What happens? You make an investi-
30 gation on the St. Lawrence River in case of incident or



French1 casualty?

2 A. Yes.

3 Q. What happens if there is an accident or
4 an incident with a ship between ~~Three Rivers~~ ^{St. Regis} and the
5 Snell Lock in American waters?

6 A. Well, then the investigation is carried
7 out by the Coast Guard in the U.S.

8 Q. Is the American coast guard in a posi-
9 tion to impose sanctions against the ships or pilots
10 operating in that part of the District?

11 A. Against the vessel, but in so far as the
12 pilots are concerned I couldn't give you a clear answer
13 to that question, but in so far as Canadian pilots are
14 concerned I could make recommendations, but I couldn't
15 answer the question about the pilots.

16 Q. Did that ever happen up till now, that
17 there was an accident involving a Canadian pilot between
18 ~~Three Rivers~~ ^{St. Regis} and Snell Lock?

19 A. No, not to my knowledge.

20 Q. Do you have no jurisdiction whatsoever
21 in the field of accidents or incidents occurring between
22 ~~Three Rivers~~ ^{St. Regis} and Snell Lock?

23 A. This is true.

24 Q. My colleague asked you a few questions
25 concerning a vessel called the "Carl Schmedeman"?

26 A. Yes.

27 Q. I apologize, but I didn't understand
28 very well your answer to that question?

29 A. What was the question? If you give me
30 the question, perhaps I will remember.



1 Q. I think it had to do with the problem
2 of ships registered in the Commonwealth, and which were
3 navigating without any pilots in the Cornwall District.
4 If these vessels were coastal vessels or lake vessels,
5 they are not forced to pay any mandatory pilotage dues
6 according to the Canadian law in the Canadian district.

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French 1 But there is this international district from St. Regis
2 to Snell Lock, which is in American waters and American
3 legislation says that only Canadian and American lake
4 ships are not forced to pay the mandatory pilotage dues
5 in the Kingston District, which, according to the bylaws,
6 extends from St. Regis to Kingston, and the situation
7 is the following. So it seems you have a vessel or
8 vessels, or lake vessels registered in the Commonwealth,
9 in American waters who would not take in any pilot?
10 I think you have had correspondence to that effect?

11 A. Well, the Cornwall Supervisor drew my
12 attention the first time to that subject and the name
13 of the vessel was the "Carl Schmedeman." So then I
14 phoned the shipping company and I sent those reports
15 to Ottawa. Then I received some copies of letters
16 that have been sent to the shipping company, that owns
17 the "Carl Schmedeman," as well as other companies who
18 do not use pilots in District No. 1, between St. Regis
19 and Snell Lock. I have copies of those letters with
20 me if you want to see them.

21 Q. So what is the situation at the present
22 time about that?

23 A. Well, the copies of letters that I
24 have received have been sent by the authorities to the
25 shipping companies in order to tell them that according
26 to the bylaws they were obliged to have a pilot from
27 the Cornwall District, registered by the American
28 authorities; but up to now, I do not know to what extent
29 there has been progress to that effect, with the excep-
30 tion that there has been correspondence. But to my own



French1 knowledge, they still do not use pilots. I have a
2 copy of that letter.

3 Q. Do you bill them for pilotage dues?

4 A. Not at the present time. We are
5 waiting for the situation to be corrected by the General
6 Supervisor of Pilotage in Ottawa and as soon as we
7 receive instructions we will take some steps against
8 these companies, if it is deemed necessary. But I can
9 give you a letter or perhaps the Commission is interes-
10 ted in having one of these letters?

11 THE CHAIRMAN: Yes. Perhaps the
12 witness could file it a little later on. If it is not
13 too long, perhaps you can read it.

English14 MR. JACQUES: My lord, it is a letter
15 dated June 17th, 1963, addressed to Hall Corporation of
16 Canada, 1070 Bleury Street, Montreal 3, P.Q. It reads:

17 "Dear Sirs:

18 "It has been brought to our atten-
19 tion by the United States Coast
20 Guard Authority that your S.S. "Carl
21 Schemedeman" has been operating in
22 the designated waters of the Great
23 Lakes basin without being piloted by
24 a registered pilot. The area in
25 question is that part of the Great
26 Lakes Pilotage District No. 1 extending
27 eastward from Snell Lock to the eastern
28 limits of the District of St. Regis,
29 P. Q. We wish to point out that the
30 action outlined above is in violation



English

1 of Section 375B of Part 6(A) of the
2 Canada Shipping Act, which requires
3 the use of a registered pilot in the
4 waters mentioned by this letter. In
5 drawing this matter to your attention,
6 we would inform you that any further
7 violation of Section 375B may well
8 result in the imposition of a penalty
9 as outlined under Section 375B of the
10 Act.

11 "Yours very truly,

12 "D. R. Jones,

13 Superintendent of Pilotage.

14 Copy to Regional Supervisor
15 of Pilotage, Montreal.
16 Deputy Supervisor of
Pilotage, Cornwall."

French

17 Q. Mr. Catinus, you have mentioned, I think,
18 that one of the responsibilities of the pilots was to
19 see to it that a certain number of bylaws were implemented,
20 bylaws concerning navigation on the St. Lawrence, for
21 example, in so far as the water pollution was concerned?

22 A. Yes.

23 Q. According to your own experience, do
24 you think that the pilots are the pertinent body in
25 order to undertake such supervision or policy?

26 A. Well, they are on this part and they
27 supervise, due to the fact where they might find in the
28 place where there might be a kind of violation. For
29 example, if I saw that there was a violation committed,
30 I would submit a report because it is for the welfare of



French 1 the country, and perhaps the same thing applies with
2 the pilots.

3 Q. Is there any other type of body which
4 does this supervision, aside from the pilots, on the
5 St. Lawrence at the present time?

6 A. No, not to my knowledge. I do not know
7 if such a body exists, but if it does I do not know about
8 it.

9 THE CHAIRMAN: While we are still
10 talking about that, is there in the Montreal Harbour,
11 harbour police?

12 THE WITNESS: No. In the Montreal
13 Harbour there is the harbour police but that is on the
14 wharves.

15 THE CHAIRMAN: I do not mean on the
16 wharves, but on the river itself?

17 THE WITNESS: No.

18 THE CHAIRMAN: If I am not mistaken,
19 there is one in Quebec. There is a type of supervision
20 which was done a while ago by boats from the Mounted
21 Police.

22 THE WITNESS: Yes; but there is no
23 Montreal Harbour police on the river.

24 THE CHAIRMAN: And they supervise
25 water pollution of licensed ships or those not provided with
26 safety belts?

27 MR. LALONDE: The supervision of the
28 St. Lawrence River is done by the Canadian Mounted
29 Police, which has very restricted means at its disposal
30 in order to do such supervision.



French1

2 Q. You have received some complaints from
3 pilots, or comments from pilots, about the case where
4 a ship's master would refuse, without any reason, or
5 without cause, the services of a pilot after he has
6 requested the services of a pilot at the Pilotage
7 Station?

8 A. I do not remember of such a case. I
9 think that something of a case like that happened about
10 two days ago.

11 Q. But rather my question was the follow-
12 ing: Did you not receive any correspondence from the
13 pilots' representatives about the interpretation to be
14 given to Article 350 of the Canada Shipping Act? This
15 Article 350 provides that whenever a ship's master
16 refuses the services of a pilot without any reasonable
17 cause his vessel must pay just the same for pilotage
18 dues, in the same way as if the pilot's services had
19 been accepted. I would like you to refer to Article
20 350 of the Canada Shipping Act.

21 A. I have received a letter from the
22 lawyers.

23 Q. That is from myself?

24 A. Yes, I think you have sent that letter
25 yourself. I have a copy of that letter here as well as
26 my reply.

27 Q. Did you refer that letter to Ottawa
28 for comment, or additional comment?

29 A. Yes.

30 Q. Or additional information?

A. Yes.



French

Q. And what reply did you receive?

2 A. If you give me a few moments, I could
3 perhaps give you a copy of this reply.

4 MR. LALONDE: My colleague would like
5 to indicate to me that the letter sent by the lawyers
6 be filed. Before passing on to that subject, my lord,
7 my colleague Mr. Jacques draws my attention to the
8 bylaws about pollution caused by oil, the Oil Pollution
9 Prevention Regulations, P. C. 1961-166, and Section 15
10 of this Regulation, paragraph 1, reads as follows:

English

11 "The Minister may designate any
12 member of the Public Service of
13 Canada or the Royal Canadian Mounted
14 Police or of a provincial, municipal
15 or harbour police force, as an
16 inspector for the purposes of these
17 Regulations."

French

18 Q. Could you please read for the Commission
19 the two letters that you have received -- unless the
20 Commission wants these letters to be simply filed
21 without being read. Would you read them? In the
22 first place, your letter to them about this subject, and
23 then the reply?

24 A. The letter that I received was dated
25 November 2nd, 1962, the subject: "The Dismissal of
26 Pilots by a Ship's Master". The letter was addressed
27 to me:

28 "On October 15th last, we sent you
29 a letter on behalf of the St. Lawrence
30 Pilots' Corporation, concerning certain



French1

incidents having to do with the dismissal of certain pilots on the part of ships' masters. On that occasion we underlined the basic objection to such a practice and we asked you to use your authority to put an end to such a practice. Moreover, we mentioned that in case of such dismissal, the ship should be forced to pay at least the tariff of the departure cancellation.

"After having checked the Canada Shipping Act, I would think that the provisions of the law go even further than that; in fact, Section 350 of the Canada Shipping Act is extremely clear on that subject.

"Paragraph 2 reads as follows:

'Every such ship the master of which
(a) does not accept the services of the first licensed pilot who, by signal or otherwise offers his services,
(b) does not accept the services of such one or two or more pilots offering their services at the same time, as is entitled by the law or regulations for the time being in force in such district to have his services accepted, or (c) having signalled for a pilot does not accept the services of any licensed pilot offering the same in consequence



French

of such signal, shall be liable to pay
to the Pilotage Authority of the
District, as pilotage dues, the same
sum as would have been payable to such
pilot, if his services had been
accepted.'

"According to the text of that
Section 350, we believe that if a master
or an agent decides by himself to refuse
the services of a pilot, then the Pilotage
Authority should collect from that
vessel the full tariff and not only the
cancellation cost of departure in such
a case. We are convinced that if the
Act was enforced on that subject, the
incidents that occurred in the past
would not be repeated and the Pilotage
Authority would thus assume all the
powers granted them by the Act.

"Hoping that it will be possible
to take the appropriate steps very
shortly,

"Yours very truly,

"Marc Lalonde."

I have sent a copy of that letter to Ottawa. Would you
like me to read this letter?

Q. Perhaps a copy of my reply, because I
made recommendations in the letter.

A. I asked for an interpretation of that.

Q. Well, what interpretation did you



French 1 receive then?

2 A. I have received a letter dated April 9,
3 1963, addressed to me, and the letter is in English.

4 If you will allow me, my lord, I am going to read it

English 5 in English. The letter is entitled, or the subject is

6 "Non-Acceptance of Services of First-Class Licensed

7 Pilot, Section 350, Canada Shipping Act."

8 The letter says:

9 "We refer to your request for a

10 legal ruling on the question concerning

11 the above as raised by the Central

12 St. Lawrence Pilots' Corporation and

13 would inform you that the provisions

14 of Section 350 of the Canada Shipping

15 Act do not apply to the Pilotage District

16 of Montreal."

17 The letter is signed "C. M. Seeley, for Superintendent

18 of Pilotage."

19 I have sent a copy of that letter

20 dated April 11th --

French 21 THE CHAIRMAN: You have sent a copy

22 of that letter to Mr. Lalonde?

23 THE WITNESS: Yes, I did send it to

24 Mr. Lalonde.

25 Q. Is Mr. Seeley an employee of the

26 Department in Ottawa?

27 A. Yes.

28 Q. Is he a legal adviser at the Department?

29 A. No.

30 Q. What is his official title?



French 1

2

A. Well, he is the Assistant to the
Superintendent of Pilotage.

3

Q. I think he is Captain Seeley, isn't he?

4

A. Yes, it is Captain Seeley.

5

6

Q. That is the only interpretation or
explanation you received from Ottawa?

7

A. Yes.

8

9

THE CHAIRMAN: Are you changing your
subject matter?

10

11

MR. LALONDE: I am practically through,
my lord. I may conclude before the recess?

12

THE CHAIRMAN: Yes.

13

14

15

16

17

Q. Now, according to your own experience,
Captain Catinus, if we admit that this experience is of
only one year in the present position, do you think it
would be advantageous for the Pilotage Administration
to have a greater decentralization of the administration?

18

A. Well, yes; I personally think so.

19

MR. LALONDE: Thank you.

20

21

THE CHAIRMAN: We will have a short
recess.

22

23

---Short recess.

24

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French1

Q. In the case of the refusal of pilots

2 two or three days ago, are you aware of the circum-

3 stances? Did you conduct an investigation?

4 A. No, I was busy here.

5 Q. So you couldn't testify as to this ?

6 A. No, I couldn't say anything right now.

7

8 CROSS-EXAMINATION BY MR. LANGLOIS:

9

10 Q. Captain Catinus, if I understand pro-
11 perly the evidence and documentation which you have pro-
12 duced, Exhibits 524, 525, 526, 527, 528, 529, 530, 531,
13 532, 533, 534 and 535, this documentation hasn't all
14 been prepared by yourself?

15 A. I don't have the list here, but for
16 instance, 527 and 526 have not been prepared by me, no.

17 THE CHAIRMAN: Just one second. We
18 will take out all these documents, and we will show them
19 to you, so that you can answer the question exactly.

20 MR. LANGLOIS: I can give the descrip-
21 tion to the witness?

22 THE CHAIRMAN: We will show him the
23 documents. Which are they?

24 MR. LANGLOIS: From 524 to 535.

25 THE WITNESS: As far as 524 is con-
26 cerned, this list has been prepared by the Montreal
27 District Supervisor.

28 Q. And the others?

29 A. The same thing for 525; the same thing
30 for 526; the same thing for 527; the same thing for 528.



French 1

Q. No. 529?

2 A. No. 529 the same thing.

3 Q. And 530, 531, 532?

4 A. The same thing for 530; the same thing
5 for 531, 532. I am not sure as far as 533 is con-
6 cerned. I think it has been prepared by Ottawa; 534
7 has been prepared by myself, with figures and calculations
8 which have been given to me either by the Supervisor or
9 by Mr. Pare.

10 Q. And 535?

11 A. I think that 535 must have been prepared
12 in Ottawa. I am not personally aware of this. I have
13 no personal knowledge of this list.

14 Q. So, if I am not mistaken, except for
15 Exhibits 533 and 535, Mr. Pare or the local Supervisor
16 would be the proper witnesses to depose to the value of
17 these exhibits?

18 A. That is right.

19 Q. The other day when Mr. Burnside was
20 being questioned -- Mr. Burnside was the Director of
21 Operations of the Seaway, the obligation of pilots of
22 the Seaway to hold radiotelephone licences was mentioned?

23 A. In the Seaway, yes.

24 Q. Could you tell us who is responsible
25 for such requirement?

26 A. Once more it will be Mr. Melanson, the
27 District Supervisor.

28 Q. And it is a fact that all the Seaway
29 pilots must have a radiotelephone licence?

30 A. I am sorry, I didn't understand.



French

2 Q. It is a fact that all pilots operating
3 in the Seaway must hold a radiotelephone operator's
4 licence?

5 A. Yes.

6 Q. Does the same requirement exist for the
7 pilots of Montreal harbour?

8 A. No.

9 Q. Are you aware of the reason for such a
10 requirement?

11 A. Well, that is to say I can give you my
12 opinion, not necessarily the reason, that is to say that
13 in the St. Lawrence Seaway ships must have radios which
14 conform to the requirements of the Seaway while the
15 ships are going on as far as Montreal. There are always
16 some that are without this kind of radio. This might be
17 the reason why it is a requirement in the Seaway.

18 Q. Captain Catinus, according to your
19 knowledge, is it true that most of the ocean-going
20 vessels going into the Seaway rent radiotelephones only
21 for the trip from Montreal to the Great Lakes?

22 A. Well, this is not to my knowledge.
23 I know that most of the ships have this equipment on
24 board, but I couldn't tell you exactly how many rent
25 this equipment in Montreal. I have no personal know-
26 ledge of this.

27 Q. According to your knowledge is it not
28 a fact that a good portion, if not the major portion of
29 the ocean-going vessels going most of the time east of
30 Montreal harbour have no radiotelephone equipment?

A. Well, from time to time I see lists of



French¹ ships which have this equipment, and according to my
2 knowledge most of them have this equipment.

3 Q. Most of the ocean-going vessels?

4 A. That is those coming from east of
5 Montreal.

6 Q. But you have conducted no investigation?

7 A. No, I personally had no occasion to do
8 so up till now.

9 Q. Now, during your testimony yesterday
10 you mentioned an expert survey which was made by
11 Campbell & Company. Could you give us more details
12 of this company? What are they experts on?

13 A. I have no details to give you. I don't
14 know any details. I have been told on the phone that
15 they were going to come, and that I should make their
16 job easy, and the way that they conduct their survey,
17 they are the ones who could explain that. We must
18 make reports, but according to their instructions.

19 Q. Is this a Montreal concern?

20 A. I think so.

21 Q. Would it not be G.T.R. Campbell &
22 Company, who are experts ---

23 A. I could almost swear to it, but I am not
24 sure. I am almost sure you are right.

25 Q. They are marine surveyors and naval
26 architects?

27 A. That is right, yes.

28 THE CHAIRMAN: While we are on this
29 subject, could you please say what kind of survey they
30 are conducting? Could you answer the question



French1

Q. Could you answer the question of his
lordship on the kind of survey which is being made by
Campbell?

A. No, your lordship. They have asked for
a few reports, but I couldn't give you any details,
because they didn't give them to me.

THE CHAIRMAN: Who asked for that
survey to be made?

THE WITNESS: I don't know personally,
but I think it is the Deputy Minister, but I couldn't
swear to that.

THE CHAIRMAN: So this doesn't come
from here?

THE WITNESS: No, your lordship. This
originates in Ottawa. I have received a telephone
call to inform me that the experts would arrive.

Q. You have received a telephone call
from whom?

A. From Ottawa. I couldn't swear to the
name, but I think it was from the Pilotage Supervisor.
I think it was his voice, but it was a telephone call
that they were coming.

Q. And according to the telephone conver-
sation, that was your authority to give the proper infor-
mation to this company?

A. Yes.

Q. Were you told the aim of the survey?

A. No, not exactly, no. Excuse me.
They didn't tell me the aim of the survey, but I know
that the survey is the result of the dispute of the



French 1 two corporations; the Pilots of the St. Lawrence Seaway
2 and the Pilots of the Harbour.

3 Q. Now, on another question, you have
4 mentioned during your testimony yesterday the cases of
5 apprentices. Is it to your knowledge that certain
6 shipping companies do not desire the presence of
7 apprentices on their ships?

8 A. I have no personal knowledge of this.
9 I have not heard about it. I have not seen any letter
10 from the pilots, so I have no personal knowledge of
11 this.

12 Q. But nevertheless there are certain
13 categories of ships on which apprentices aren't sent?

14 A. Well, that is to say that there are
15 some shipping companies which give them gratuities,
16 we call them. Some companies don't do it and I think
17 it is paid by the companies which are members of the
18 Federation, and those which are not members of the
19 Shipping Federation do not give any.

20 Q. And if a company doesn't pay this
21 gratuity you would rather send your apprentices on a
22 ship which would pay this gratuity?

23 A. I don't know if I have a preference
24 myself, but I think it would be proper to do this, be-
25 cause they do not earn anything during their apprentice-
26 ship.

27 Q. What is the average amount of this
28 gratuity?

29 A. It is \$12 per trip, the first day, and
30 \$15 per trip after the first day. Twelve dollars per
trip.



French1

Q. And in the District of Montreal a

2 trip is a complete trip from Montreal to Quebec for the
3 apprentices?

4 A. Yes.

5 Q. Must an apprentice pilot travel at his
6 own expense?

7 A. Yes.

8 Q. Must he come back by bus or rail, or
9 what have you?

10 A. Yes.

11 Q. Are there any cases when an apprentice
12 is sent on a ship that doesn't pay him this gratuity?

13 A. Yes, I think so, yes.

14 Q. Now, as a matter of fact, excepting if
15 the apprentices are sent on ships which pay the gratuity,
16 this apprenticeship is entirely at the expense of the
17 apprentices?

18 A. Yes.

19 Q. Although you have not completely par-
20 ticipated in the preparation of certain exhibits, and
21 amongst others I think you mentioned Exhibit No. 528,
22 for instance, indicating the workload of the pilots --
23 could you tell the Commission if the information on
24 which the statistics which were filed in Exhibit 528 are
25 based were taken from the pilots' source form?

26 A. I think so. I don't know since when,
27 but they have machines, I don't know how you call them,
28 which they use in Ottawa for the compilation of the
29 information gathered in the pilot's source form.

30 Q. Is it not true that the hours of work



French 1 of the pilots, as mentioned in the pilot's source form,
2 are indicating the time when the pilot goes on board
3 and when he leaves the ship?

4 A. That is right.

5 Q. And I understand also that such forms
6 give no information on delays, except if this delay
7 brings about a detention?

8 A. I think that this is correct. In
9 order to be sure we might ask Mr. Pare.

10 Q. Now, you mentioned yesterday pleasure
11 boats which are a hazard to navigation. Could you
12 tell us if, according to your knowledge, the river is
13 being patrolled in order to make sure that the
14 regulations of the St. Lawrence River are applied, and
15 I now refer to Exhibit 538, P.C. 1954/25, Canada
16 Shipping Act, St. Lawrence River Regulations, and
17 more especially to Section 20 of this exhibit, and I
18 give a free translation here, your lordship.

19 No vessel drawing 9 feet of water
20 or less, and no barge or raft shall, except in case of
21 accident, stress of weather, or force of current, use
22 the deep water channels: (a) near Pointe aux Trembles
23 (en haut); (b) at, between or near Varennes and Buoy 5-M,
24 St. Ours Traverse except between Buoys 104-M and 116-M,
25 and between Buoys 122-M and 124-M; (c) in Lake St.
26 Peter between the upper end of the St. Francis Bank
27 and the English Bank; (d) at or near Port St. Francis;
28 (e) at, between or near Batiscan and Cap Charles;
29 (f) in the dredged channel below Quebec known as
30 Madam Reef and Brule Bank Channel between Buoys



French 1 120 $\frac{1}{2}$ -B and 112-B, except between Buoy 114 $\frac{1}{2}$ -B and 114-B;
2 or (g) at or near Buoy 109 $\frac{1}{2}$ -B, 109-B and 108-B.

3 Is there any patrolling being made
4 to prevent pleasure vessels using these waters?

5 A. No, there is no patrolling being done,
6 according to my knowledge.

7 Q. According to your knowledge is it a
8 fact that despite this regulation small ships with a
9 draught of less than 9 feet use regularly the channels
10 which are forbidden by these regulations?

11 A. I can't answer this question. I have
12 no personal knowledge of the facts.

13 Q. Do not you think that you would have
14 quite an efficient remedy if such patrolling were done?

15 A. Certainly, of course.

16 Q. Another thing which has also been
17 brought up, Captain, is complaints which have been
18 received from shipowners, or agents, and the fact that
19 at certain times more tugs were used than was necessary.
20 Are such complaints quite frequent?

21 A. No, they are not frequent.

22 Q. And you said this morning that you
23 also had the opposite complaint?

24 A. No, not a complaint. I have reports
25 that there were cases where the tug was on the spot to
26 help a pilot who had not asked for such a tug. I mean,
27 that is to say that the tug was there when the pilot
28 arrived, and neither the pilot nor the captain, nor
29 the shipping company had ordered the tug.

30 Q. You have also mentioned yesterday that



French 1 you have had reports on the lack of depth of water in
2 the harbour of Sorel. Has it been reported to you
3 quite often that ships which were loading at the grain
4 elevator were touching the bottom of the river?

5 A. Before they were finished loading,
6 no, I just had one complaint concerning one ship. I
7 have a copy, but I have had no complaints about what
8 you have just mentioned.

9 Q. Have you received similar complaints
10 concerning the Three Rivers basin?

11 A. I have no letters, no.

12 Q. Now, in the execution of your duties,
13 Captain Catinus, are you called upon to act as liaison
14 between the pilots and the shipowners or their agents
15 in the case of dispute or administration?

16 A. Oh, yes.

17 Q. Is it often that you are called upon
18 to call meetings between pilots and shipowners to try to
19 improve operations and so forth?

20 A. Up till now this has not been necessary.
21 Will you permit me one second, I just want to think.

22 I have a second thought -- if you will
23 just give me a few minutes. I remember once, when I
24 say we went, I went, it was last year, with the President
25 of the Pilots Corporation. I can mention the name.
26 So we went to Captain Madison of the Shipping Federation,
27 to ask them once more if possible to send us the hour
28 of departure of the ships. This would help us in the
29 despatching of pilots, and we were very well received,
30 and he sent a letter to all the members of the Shipping



French1 Federation, and if I remember correctly -- I have a
2 copy of the letter -- this was last year. Captain
3 Tremblay was there with me, but this is the only thing
4 I can remember at the present time.

5 Q. Now, on another subject. Yesterday
6 you have also mentioned the question of the reports of
7 the Board of Examiners. Who transmits these reports
8 to Ottawa?

9 A. I do. They are sent -- of course
10 before they are sent they are signed by all members of
11 the Board of Examiners.

12 Q. Once you have submitted these reports
13 to Ottawa, do you receive an answer from Ottawa, and if
14 you do what is the answer?

15 A. Well, that is to say, for example let
16 us say that this is concerning an examination of an
17 apprentice who was trying to become a pilot. So we
18 decide if we need one, and this is decided by the
19 Authority. In the past, not so long ago, there were
20 apprentices who received their licences after passing
21 the examination. Our recommendation generally is
22 followed.

23 Q. You say generally. Have there been
24 many cases where your report of the failure or success
25 of a candidate would have been changed by Ottawa?

26 A. No.

27 Q. Now, do you take for granted the fact
28 that if you receive no contrary comments from Ottawa
29 that your decision has been accepted by Ottawa?

30 A. Yes.



French1

2 Q. Now, you also mentioned investigations
3 of accidents in navigation. Could you tell the
4 Commission if I am right when I say that the procedure
5 which has been established is that every pilot must
6 report to the Pilotage Authority on a special accident
7 report form, which is commonly called the Pink Form,
8 any accident which happens to a ship during the period
9 when he is acting as pilot aboard that ship?

10 A. That is right.

11 Q. Now, once this form has been transmitted
12 to the local supervisor ---

13 A. It is not sent to the ---

14 Q. But before it is transmitted to you by
15 the local supervisor is there an investigation made?

16 A. There have been in some cases last year
17 when remarks have been transmitted by the supervisor
18 in Quebec, for instance, but never in Montreal.

19 Q. But from Quebec it is the practice for
20 the local supervisor to conduct an investigation before
21 transmitting the pilot's report?

22 A. No, it is the report with some nominal
23 remarks, but I would instruct him to conduct a pre-
24 liminary investigation.

25 Q. Is it right to say that in several
26 cases, the reports on the Pink Form report some very
27 ordinary incidents of very small importance?

28 A. Yes, some are of very little importance,
29 but not too many.
30



French1

Q. Is it not a fact, for instance, that

a report will be made to you by pilots on an accident
such as a ship coming to the pier and the line will
have broken and he will make a report on this just the
same?

A. If it is a line which has broken, no.
There will be no report. I can show you the report
about one, but generally there is only one if it is not
important.

Q. Even a little scratch on the stern of
the ship?

A. No, generally not. There have been
some cases. It all depends on the pilot. Some of
them -- for instance, there are some who make reports --
how can I explain myself? There are some who do not
submit a report about every single little thing.

Q. So that there are some amongst these
reports??

A. Yes.

Q. As soon as this report has been trans-
mitted, this report in the Pilotage Station, transmitted
to you through the Local Supervisor, I understand that
then you start your own personal investigation?

A. Yes. Sometimes if I hear about a
given accident, I do not always wait for the report
before starting my own investigation. It all depends
if this is a serious accident.

Q. I know that often you and Captain
Gendron may go on board a ship while the ship is still
grounded?



French

A. Yes, this is true.

2 Q. Now, following the normal procedure, as
3 soon as you receive this report, then you start your own
4 personal investigation?

5 A. Yes Sometimes in the report itself
6 everything is so well explained and it is so clear that
7 an investigation is not warranted. For example, if the
8 explanation in the report is clear enough, it is not
9 necessary to start an investigation. So I just take
10 his report and send it to Ottawa with my own comments.
11 That is to say, it is not necessary to contact each pilot
12 for every report I receive from them.

13 Q. Now, your letter transmitting the report
14 on the pink form to Ottawa contains recommendations on
15 your part?

16 A. Yes. That is to say sometimes, well,
17 I mean, if I think that the pilot can not be blamed in
18 any given way, I ask that this report be filed only.
19 That is all.

20 Q. Or you just ask to file the report or
21 start an investigation?

22 A. Yes.

23 Q. But when you have a request to start an
24 investigation, is it not true that the Chief Inspector of
25 the Department and, in the present case, Captain Gendron,
26 is going to start a personal investigation which is
27 called, in English, a fact-finding investigation?

28 A. Yes.

29 Q. Were there any cases where your recom-
30 mendation to just file a report about an accident has not



French1 been followed and an investigation has been ordered just
2 the same?

3 A. No. But I made a recommendation once
4 concerning an accident and I made a recommendation -- but
5 this is only one case -- and instead of following that
6 recommendation, the authorities decided otherwise. But,
7 just the same, it was a case of an accident which was
8 to be investigated upon. Well, I investigated upon
9 that accident myself and the decision was not exactly
10 according to my recommendations.

11 Q. So an investigation was started?

12 A. I did the investigation myself. It was
13 not a fact-finding investigation, but I have it in the
14 list here. But in that case I gave the reason in the
15 letter, and, as a matter of fact, I recommended that a
16 penalty be imposed; but instead of that, another decision
17 was reached. But usually my recommendations are
18 followed.

19 Q. It was a decision not to impose the
20 penalty recommended by you?

21 A. Well, in this particular case they did
22 not impose a penalty but they asked that this pilot
23 undertake many manouvres in that particular spot and this
24 was not according to my recommendations.

25 Q. Now, before a penalty is imposed on
26 the basis of that highly preliminary inquiry, is the pilot
27 able, before the penalty is made, and does he have the
28 opportunity to start to object to such a penalty?

29 A. There was no case where a penalty was
30 imposed resulting from an accident ever since I have been



French occupying this present position. But, on the other
2 hand, if an accident is serious enough, I always made
3 a recommendation. If, for example, I recommend an
4 investigation ---

5 Q. My question was not exactly that. I
6 only wanted to know if there were cases where a penalty
7 was imposed on a pilot without the pilot having the
8 opportunity of being heard, to answer this accusation
9 and to explain the conditions about the accident?

10 A. No.

11 Q. Your answer is "No"? You do not ask
12 the pilot to give his reasons?

13 A. No. I said there were no penalties
14 so I cannot answer the question because the case never
15 arose up till now. That is according to my own know-
16 ledge, in the past year.

17 Q. Were there any cases of suspension?

18 A. You were talking of penalty.

19 Q. Well, now, I am asking you about the
20 suspension of a pilot?

21 A. When there is an investigation, then
22 the intention is to have a suspension. But what
23 happens is that the Authority send a letter to the
24 pilot, a "show-cause" letter -- this is an English
25 expression. In other words, that is to say we ask
26 the pilot in a show-cause letter in order to find out
27 if a suspension will be taken and why.

28 Q. Is this done in all cases, to your
29 knowledge?

30 A. To my knowledge it is done in all cases



French1 because I receive a copy of the letter.

2 Q. Were there any cases where, without
3 imposing a penalty or a suspension, the issuance of
4 a licence to a pilot has been delayed following an
5 accident?

6 A. While I was there, no. But of my own
7 knowledge I remember that there was a pilot who was so
8 delayed following an accident which occurred in the past.

9 Q. In that case, is he sent that letter
10 which is called a "show-cause" letter to the pilot?

11 A. I cannot answer you because all this
12 happened before I occupied my present position.

13 Q. Now, let us get back to the fact-finding
14 investigation.

15 THE CHAIRMAN: Before passing to that
16 subject, simply for the record, I would like to add a
17 note, so that all files giving different examples or
18 illustrations of investigations or cases where they
19 do not go any further than the pink form or very
20 serious cases, I would like to have illustrations of
21 that when we reach Ottawa, in order to find out exactly
22 how the investigations are done. So we might be in a
23 position to look at those examples when we sit in Ottawa.

24 MR. JACQUES: May it please the Court,
25 in relation to that subject, it was my intention to give
26 the Commission the exact procedure followed, but my
27 intention was not to submit the true files or cause any
28 prejudice to the pilots.

29 THE CHAIRMAN: If the procedure
30 followed has been the same for years, you could take



French 1 your cases from the old files and old records and this
2 would not cause any prejudice to anybody whatsoever.

3 MR. LANGLOIS: And on that subject,
4 it would be interesting to put into the record the way
5 in which these investigations are made and especially
6 according to what section of the Canada Shipping Act they
7 done because, my lord, there are certain sections of the
8 Canada Shipping Act which do not provide for right of
9 appeal.

10 THE CHAIRMAN: The question is very
11 important for us. This question of investigation is
12 extremely important for us, so naturally we want to have
13 all the evidence possible in that field. I understand
14 that this evidence will be made in Ottawa?

15 MR. LANGLOIS: Yes. And my colleague
16 indicates that the lawyers or the counsel will have the
17 opportunity to add their comments to the record.

18 THE CHAIRMAN: Yes, naturally, if it
19 is necessary.

20 Q. Coming back to the fact-finding investi-
21 gation, did you undertake any yourself?

22 A. Well, I made some at the beginning of
23 July a year later. It has been established that the
24 fact-finding inquiries should be made by Captain Gendron.

25 Q. Is it not true that during these
26 preliminary inquiries or fact-finding investigations,
27 the pilot or his counsel, in the case of a collision,
28 for example, is not admitted when the evidence is
29 taken from the crew of the other vessel?

30 A. I have no knowledge that they have been



French 1 refused entrance, not while I was there myself, anyway.

2 Q. I am going to talk about the other ship,
3 in the case of a collision.

4 A. Well, I can't answer either one way or
5 the other because I have no knowledge about that. I do
6 not have any experience about that. I do not know if
7 there were.

8 q. Now, following that fact-finding com-
9 mission by the special inspector from the department,
10 a recommendation is made to Ottawa?

11 A. Well, we are talking now about the
12 fact-finding which is made by the Accident Inspector,
13 who makes his report in Ottawa.

14 Q. Is it not true that according to that
15 report the file will be closed or a decision will be
16 made according to the facts that have been established
17 from the fact-finding inquiries or another investigation
18 -- a preliminary inquiry, before a Judge of the Admiralty,
19 will be held?

20 A. I am not talking about my own personal
21 knowledge. Well, it is considered then that a ruling
22 has been made.

23 Q. Now, coming back to the question of
24 the staff on duty here in the weekend and other holidays,
25 is it not true to say that the head of the teams or
26 crews never work at night?

27 A. This is true. But I suggest that
28 you might be quite sure by asking the same question of
29 Mr. Monarque for the Montreal Office. There are
30 exceptional cases, for example, during the spring time,



French1 when we have ice difficulties, and so forth.

2 Q. I have here before me a copy of Exhibit
3 535, which is entitled, "Reported Casualties Involving
4 Pilots of the District of Montreal for the Years 1956-
5 1962." Now, looking at that exhibit, I find that you
6 have casualties whose causes are mentioned as follows:

7 "Lost anchor, ice, rudder failure,
8 mooring line parted,"
9 and another cause of accidents which is quite typical,
10 the case of a grounding of the "Iron Trader" in 1956
11 on the will itself of the ship's master because the
12 vessel was tilted and apparently the ship's master
13 was afraid that the ship would ground and finally the
14 ship grounded.

15 Now, considering those different
16 causes which I have just mentioned, would it not be
17 more accurate to change the title of that document
18 and instead of describing it as being a report of
19 casualties involving pilots, to entitle it: "Report of
20 Casualties when there is a Pilot on board"?

21 A. I did not compile that list.

22 Q. But in view of that document, don't you
23 think it is quite evident that this description is
24 erroneous?

25 A. Well, perhaps the words are not very
26 well chosen but this is a viewpoint. The list indi-
27 cates casualties with a vessel on board which were
28 pilots. Perhaps the choice of words is not absolutely
29 as it should be. It is just an opinion.

30 Q. That is why I would like to draw your



1 attention and the attention of the Commission to that
2 fact because this document which seems to be quite
3 impressive, because of its size, does not impress as
4 much when you read its contents.

5 A. Just the same, when we notice in the
6 list all the causes of the accidents, it has been
7 established that the cause was not directly attributed
8 to the pilots in the reports we have received.

9 Q. This morning, Captain Catinus, there
10 was mention made of a decrease in ships' movements,
11 especially in the past few years. Is it not true that
12 there has been a trend in the increase in so far as
13 the type of dimensions were concerned of the ships?

14 A. Yes.

15 Q. Is it not true to say that this in-
16 crease in the size of ships has proportionately increased
17 the marine hazards on the St. Lawrence for navigation
18 purposes?

19 A. Of course, it is a difficult question
20 to answer because in certain places the hazard has
21 increased, but not everywhere. For example, in the
22 locks, for the draught, but in general I cannot say
23 that the hazards have been increased in an overall
24 fashion.

25 Q. Is it not true to say, captain, that
26 it is easier to pass a small raft of twelve feet
27 between Quebec and Montreal, instead of piloting a
28 modern ship such as those used on the Great Lakes
29 which have 25 or 30-foot draught?

30 A. Well, naturally, this is so, because



French1 I made a comment to that effect, anyway.

2 Q. Now, accidents occurring in American
3 waters between Snell Lock and St. Regis were mentioned.
4 In the case of such accidents, does your Pilotage
5 Authority require that the pilot just the same submit
6 a report on this pink form which has been mentioned
7 before?

8 A. Certainly, the pilot will send a report
9 but an investigation will be undertaken by the American
10 authorities.

11 Q. What I want to know is, do you require
12 that the pilot make a report even if the accident
13 occurs outside of Canadian waters?

14 A. Yes, our Canadian pilot submits a
15 report on the accident wherever he might be.

16 Q. Were there any such cases?

17 A. I don't recall such an incident, but I
18 can consult the files.

19 Q. Was there not a decision from Ottawa
20 about that? I am asking you this question because the
21 question was asked back a few days ago, because it seems
22 to me that the pilots do not seem to know if they have
23 to submit this same report on this pink form.

24 A. Let us say that, as you notice, at times
25 there were certain reports which were only to file. So
26 I think that the reports should be made, but the investi-
27 gation will be made by the American authorities. I have
28 no reason to say no.

29 Q. Are there any other cases in the District
30 under your jurisdiction where the pilots are not allowed



French 1 to go outside the boundaries of their District in their
2 work?

3 A. No.

4 Q. In a case of casualties or incidents
5 occurring in the American waters, do you think that the
6 report of the investigation of the American coast guard
7 is sent to you? Probably to the authorities in Ottawa,
8 but not to me personally.

9 THE CHAIRMAN: While we are on that
10 subject, you are talking about the authorities in
11 Ottawa, probably. But do you think that those reports
12 are sent by Ottawa to you in order to find out exactly
13 what happens to pilots under your jurisdiction?

14 THE WITNESS: No, my lord. But as a matter
15 of fact, I ask for such a case ---

16 Q. You did not have the opportunity of
17 hearing such a case?

18 A. No.

19 THE CHAIRMAN: Consequently you
20 cannot give any information about that?

21 THE WITNESS: No.

22 Q. You mentioned this morning the question
23 of pollution of waters. I am referring to the inter-
24 national agreement which has been ratified by Canada in
25 1956, establishing bylaws and regulations to ensure the
26 control of pollution in tidal waters in this country and
27 during this testimony you suggested that pilots had
28 certain obligations. Is that a fact?

29 A. They just have, like everybody else,
30 the obligation to make a report if they are a witness



French1 of such an incident.

2 Q. But would you think that this would be
3 an indication to the kind of cooperation that the pilot
4 should expect from the captain and officers of a ship if
5 he was asked to act as a "stool pigeon"?

6 A. Should I answer this question? I
7 think, as a matter of fact, that we can say that if there
8 was goodwill on the part of everybody on this question,
9 it would be better. I can foresee a case of a pilot,
10 for instance, making a report against a crew because
11 they threw out messy water between Sorel and Three
12 Rivers, and the captain when he arrived in Montreal
13 would be called upon to give explanations and maybe pay
14 a fine.

15 Q. I am wondering the kind of cooperation
16 it would give on the next trip, some pilots who would
17 have reported him?

18 A. I would say that if he had done some-
19 thing like this, it would be against the regulations,
20 and the pilot must report any kind of incident which is
21 against the regulations. This is his duty. I do not
22 think, of course, that if such an incident was reported,
23 this would not improve the relations with such a ship.
24 Next time he probably would not report that. But if
25 the captain would be happy, I cannot answer that.

26 Q. I think it is quite human to expect
27 that the captain would not be ready to greet the pilot
28 with a red carpet when he comes aboard the ship for the
29 next trip?

30 A. There are certainly a great number of



French1 occasions when they are not happy and not only on this
2 subject, because we are all human beings.

3 THE CHAIRMAN: Captain, is there
4 something in the Pilots' Bylaws which says that they
5 must serve an obligation?

6 A. Recently the Supervisor has received
7 a letter asking them to register on the pilots' source
8 form the state of the ship -- clean ballast or oily
9 ballast, and so forth.

10 MR. LANGLOIS: A certain letter has
11 been sent to the pilots to that effect.

12 THE CHAIRMAN: Would it be possible
13 to file this letter?

14 THE WITNESS: If you give me a minute,
15 I will do so, if I have it with me.

16 THE CHAIRMAN: You will produce this
17 later on?

18 MR. LANGLOIS: Would your lordship
19 want to give the exhibit number right away?

20 THE CHAIRMAN: Exhibit No. 543. The
21 description of the letter will be ---

22 Q. Captain Catinus, could you describe
23 this letter?

24 A. I am sorry, I cannot. It has been
25 signed by the Supervisor. They had received a letter
26 asking them to indicate that the pilot confirms the
27 condition of the ship -- is it oily ballast or clean
28 ballast?

29 THE CHAIRMAN: We will give a more
30 detailed description when you come back this afternoon
with your letter.



French¹

THE WITNESS: Yes, sir.

2 Q. The measures taken when a pilot makes a
3 report of regulations about pollution of water not being
4 followed, are measures being taken to make sure that he
5 remains anonymous?

6 A. Well, I can't answer this question. A
7 report is made, but what is done with it afterwards I
8 couldn't tell you with certitude.

9 Q. In the case of an accident, or an
10 incident, when in the District of Kingston an American
11 pilot is employed, but in Canadian waters, is the
12 investigation made by the Canadian authorities in such a
13 case?

14 A. This is not in my District, but I can
15 tell you that according to my knowledge the investigation
16 is made by the Canadian authorities, but to make abso-
17 lutely sure you could ask the Accident Investigator,
18 whose duty it would be to conduct such an investigation.

19 Q. Now, according to your knowledge,
20 Captain Catinus, has there been an investigation at the
21 same time on the conduct of the pilot and the conduct of
22 the captain of the ship concerning an accident?

23 A. I don't understand your question very
24 well.

25 Q. I am asking you if according to your
26 knowledge there has been an investigation on a naviga-
27 tion accident which was trying to discover if the pilot
28 or the captain was at fault?

29 A. Well, we can say that this is the aim
30 of every investigation. We are trying to find out the



French 1 cause of the accident. We are trying to find out the
2 truth, whether it is the captain or the pilot. If I am
3 investigating I am trying to find out the reason for the
4 accident, and who is responsible.

5 Q. Have you already attended such an
6 investigation before a Committee of the Pilotage Authority
7 in the St. Lawrence River?

8 A. No.

9 Q. Have you already seen the statements of
10 facts which precede such investigations?

11 A. No.

12 Q. Did you not attend in Quebec, Captain
13 Catinus, in Quebec about a month ago the investigation
14 by Captain Gendron on the grounding of a ship?

15 A. It is true that I was in Quebec City
16 at that time, but it was on another matter, and I wanted
17 to get in touch with him on another matter, not at all
18 involved with this accident. That is the reason why
19 I attended briefly the place where the investigation
20 was taking place.

21 Q. You weren't there with regard to the
22 investigation?

23 A. No.

24 MR. LANGLOIS: On this question, my
25 lord, I am sure that my learned friend Mr. Jacques
26 will bring the evidence before the Commission, but I
27 want to draw the attention of the Commission to the
28 fact that according to my experience, and I have been
29 counsel for the pilots in a great number of cases like
30 this, the investigation is only on the conduct of the



French pilot. The stated case, which is the declaration which
is given to the Investigator, stipulates very clearly
in every case the investigation will only bear on the
conduct of the pilot. This is a practice which is
religiously followed by such investigations, to tell the
captain before he comes as a witness that he is not
under trial, that his conduct is not being criticized,
and that he is giving his testimony only to help the
investigation of the Pilotage Authority.

THE CHAIRMAN: I understand that this
is an internal question of the Pilotage Authority, to
find out what the conduct of its pilot was and if
disciplinary measures have to be taken, so it is not a
question of an investigation to assess the responsibility
for the accident itself, and if another ship, or third
party is responsible. It is just an internal question
with the Pilotage Authority for discipline.

MR. LANGLOIS: I understand your
lordship, but there is also the bylaws of the Canada
Shipping Act which make it a duty for the Department of
Transport to conduct investigations on maritime acci-
dents, and this is one of them.

THE CHAIRMAN: There is the double
jurisdiction of the Minister of Transport, who has to
apply the Canada Shipping Act, and also the Pilotage
Authority. This would not happen in New Westminster,
where the Pilotage Authority consists of three persons.

MR. LANGLOIS: It might be possible
also, as my learned friend has just mentioned to me,
that the investigation might be ordered not by the



French 1 Minister as a Pilotage Authority, but as Minister of
2 Transport, having the administration of the Canada
3 Shipping Act.

4 THE CHAIRMAN: So there are different
5 aspects, and where there is a duplication of functions,
6 as in the present case, this might result in confusion.
7 We have the same difficulties in other fields. Let us
8 mention only the case of automobile accidents. The
9 reports of the Provincial Police which are made first
10 to find out if there were a violation of the law, the
11 Criminal Code or the Traffic law, and the courts wish
12 to have these reports not only for themselves, but for
13 the claims of other persons.

14 MR. LANGLOIS: This is the reason why
15 I would like to have more information on the question
16 of investigations. There have been occasions in the
17 past where the pilots have been blamed at the pre-
18 liminary investigation when the inquiry in front of a
19 judge has put the greatest part of the responsibility
20 on the ship's captain.

21 THE CHAIRMAN: This is a delicate
22 question, which seems to create quite a bit of diffi-
23 culty, and therefore we should have all the information
24 possible.

25 Q. Captain Catinus, has your attention
26 been drawn, or has it been made known to you, certain
27 cases where an investigation would have been made
28 where penalties provided by law would have been imposed
29 on a captain who would have given wrong information
30 to the pilot of the ship?



French¹

2 A. No, I have no knowledge of such an
3 incident, none. I remember once, for instance, I sent
4 a letter on the question of the draught of several ships,
5 and I think there were two or three, and finally I re-
6 ceived a letter saying that he had no intention of giving
7 wrong information, and that is where it all ended.

8 Q. You have therefore had cases where the
9 captain of the ship would have given to the pilot a
10 wrong draught?

11 A. Well, what happened is that the pilot
12 changed the draught on the pilot's source form and
13 the shipowners have paid without asking any questions,
14 and when I drew their attention to that particular case,
15 finally the decision was that it was not intentional.

16 Q. But if I understand properly you have an
17 exact case where the pilot had to change the draught because
18 he had received the wrong information as to the draught
19 of the ship?

20 A. Yes, this is true.

21 Q. And in a case like this, this in-
22 fraction was put aside by giving good intentions to
23 the captain that was concerned?

24 A. Well, I can't give the reasons, because
25 how could I express myself? I couldn't give a reason
26 for somebody else, but I remember such a case. This
27 is true, where I had drawn attention to the fact that
28 the draught which had been given by the captain of the
29 ship was not exact, and finally the decision was that
30 the captain had no intention of giving wrong information
in that case.



French

Q. But when you say that the agent has

paid, do you mean that he has paid the fee on the basis of the draught which he should have received, or the double fees, according to Article 54 of The Canada Shipping Act?

A. He didn't pay the double fee, no, he just paid what he should have paid.

Q. Now, in the case of wrong information on the draught, or on the tonnage of the ship, do you make a report?

A. This happened, if I remember correctly, there was another one in my letter also. This has been the only time when I had occasion to make a report on this. Well, once during last year, I mean.

Q. And you have never been asked to investigate on this kind of incident?

A. The ships had left already, so it is difficult. I don't know how I could have investigated.

Q. But is it not true, Captain Catinus, I don't want to criticize the administration of the Pilotage Authority, but is it not true that in the case of wrong information, especially on the draught of a ship in a narrow and difficult channel, it is not only a question of cost, but of safety?

A. That is true.

Q. And also of other ships using the same channel?

A. Absolutely.

Q. This is why fines are provided for these situations?



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5286

French 1 A. That is true.

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---At 1.00 p.m. the hearing was adjourned until 2.30 p.m.

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PE/dpw 1 --- On resuming at 2.30 p.m.
ench

2 MR. LANGLOIS: My lord, before going to another
3 subject, I should like to call the attention of the
4 Commission to an aspect of procedure followed on inquiries
5 of maritime accidents including pilots where still an
6 archaic method of the "stated cases" exists, which is
7 more or less as follows: we have made inquiry into mari-
8 time accidents happening with such-and-such a ship and we
9 have found out that you were guilty of negligence and,
10 therefore, the pilot is told that he was negligent before
11 the inquiry was made. I think that this archaic method of
12 stated cases, of conducting this before trial, should be
13 changed, and we will have an opportunity later on to make
14 representation along these lines.

15 Now, this morning I quoted an article by memory
16 and I gave the number of the Canada Shipping Act as 324.
17 Well, it is really Article 340, concerning penalties given
18 when someone in a ship gives false information to the
19 pilot before its departure.

20 Q. Now, Captain Catinus, are you satisfied
21 with the way your teletype service functions here in
22 Montreal?

23 A. This year it has not worked so well as
24 last year. We have had some trouble this year with the
25 teletype, particularly at Les Escoumains.

26 Q. Now, is the Montreal teletype still the
27 main station used?

28 A. Up to Seven Islands.

29 Q. Have you not recently taken a button which
30 enables you to control broadcasting? That is, to cut the



French 1 circuit so that you can send urgent messages?

2 A. No. We cannot cut off the circuit.

3 Q. Why was this button removed?

4 A. I do not know. I thought the intention was
5 that the Montreal office - how to say that in French -
6 sort of watched over the work on the teletype and, in this
7 way, we could have been able to cut off the other stations,
8 but I think that on this subject it would be better to ask
9 for specialized information of the person in charge of that,
10 Mr. Monarque.

11 Q. Now, an urgent message coming from Montreal
12 could be delayed for a long period by the fact that a
13 secondary station, like Three Rivers or Sorel, is going to
14 cut the circuit and cut the Montreal broadcast?

15 A. We have made representation to Ottawa
16 several times on this matter.

17 Q. And you have not had any reply on it?

18 A. No.

19 Q. Since when was this button to cut this
20 circuit removed?

21 A. I can't tell you exactly. I know we can't
22 do it, but I do not know when it happened. I think,
23 perhaps, the Signals Service Office should be questioned
24 on this matter.

25 Q. Now, concerning the part of your evidence,
26 with relation to delays in the Seaway, are you satisfied
27 that you receive all the necessary collaboration on the
28 part of the authorities of the Seaway, from the Seaway
29 Authority?

30 A. Our relations are sometimes a bit difficult



French 1 with the St. Lawrence Seaway. That is to say, for
2 instance, when we received a report with complaints that
3 ships were stopped in the lock, sometimes it was not our
4 fault, or the pilot's fault. I think there could be some
5 improvement in our relations with the Seaway Authority.

6 Q. Could it not be said that with more co-opera-
7 tion on behalf of the Seaway Authority, the delays about
8 which there are complaints in your despatching service
9 could be eliminated to a great extent?

10 A. Yes, it is true, but I hope that these
11 difficulties can be arranged because now we have this
12 radio telephone system and perhaps ourselves make arrange-
13 ments on this matter.

14 Q. Is it not true that rather recently you
15 have stopped teletype service between the Eisenhower Lock...

16 A. This is something that has been arranged
17 between the Seaway and the authorities, but I am not
18 concerned with it. That is to say, I did not take part
19 in the decisions on this matter.

20 Q. It is a fact that you do not have teletype
21 service with the Eisenhower Lock?

22 A. Yes, it is.

23 Q. By what has this teletype service been
24 replaced?

25 A. At the present time, there is only our
26 telephone.

27 Q. Only a telephone? Is it not correct that
28 this telephone service leaves much to be desired?

29 A. I think that upon request of the authorities
30 that the teletype has been removed at Eisenhower and, in



French 1 fact, we have the necessary information concerning boats
2 descending from there.

3 Q. Is it not true that this telephone service
4 functions only during certain regular intervals and we
5 receive information with delays?

6 A. It is the Cornwall office which receives
7 the information; so if there were telephone calls, it will
8 be from Cornwall to Eisenhower and this would not concern
9 ourselves. We do not make calls to Montreal ourselves.

10 Q. About your reports from the Eisenhower Lock,
11 do you receive the reports concerning ships going through
12 the Eisenhower Lock? Do you receive them regularly and
13 promptly?

14 A. We don't need them, really. We do not need
15 them, really, for the despatching service.

16 Q. But the reports of ships going through, do
17 you receive them?

18 A. We have reports when they come through
19 Snell Lock and Beauharnois.

20 Q. Do you receive reports regularly from these
21 places?

22 A. From Beauharnois, yes.

23 Q. Are these reports received with delays?

24 A. No, I do not think so. Perhaps I can ask
25 the Signals Service Officer. I do not know anything about
26 that.

27 Q. Have you not made suggestions or recommenda-
28 tions concerning the improvement of the communications
29 services with the authorities of the Seaway?

30 A. Yes. We have had a meeting recently with



French 1 the Seaway Authority and at that time we discussed this
2 problem and, as I said, we have equipment now and we are
3 waiting for a licence for this equipment.

4 Q. What sort of equipment is it?

5 A. It is an F/M set - modulated frequency.

6 Q. Have you made other suggestions to improve
7 the communications service in the past?

2 8 A. For instance, last year the arrangement was,
9 as I explained before, that from Beauharnois Lock down-
10 bound, the message indicated "River Pilot" or "Harbour
11 Pilot" and this Spring, as a result of the experience
12 which we had last year, I requested that this be changed
13 and we had a meeting in the Spring with the Seaway Autho-
14 rity at Cornwall and that time I asked that instead of
15 giving that information, we would give the destination.
16 This is much better when we receive this information
17 concerning the local destination of the ships. In order
18 to be as sure as possible of the time of arrival at St.
19 Lambert Lock, I asked that we be given a telephone call
20 on the direct line from Cote St. Catherine, and, in that
21 way, we can estimate more correctly the time of arrival
22 at St. Lambert Lock.

23 Q. What if the local destination is changed
24 after Beauharnois Lock?

25 A. Well, we should then receive a message from
26 the captain. It is in his interest to inform us. The
27 shipping agent should do that. Now, last year when we had
28 these difficulties, I asked the pilots to suggest to the
29 captain going downbound to send us a message giving the
30 time of arrival, but they were not very pleased about that.



French 1 But, it was to their advantage to give us this information,
2 to avoid delays.

3 Q. In spite of the fact that they were not
4 pleased with that, did they co-operate?

5 A. To my knowledge; although I haven't seen it,
6 I know that the authorities have received a letter on this
7 matter complaining about this request, but it wasn't really
8 a request. I only asked the pilots to suggest to the
9 captains to do such a thing.

10 Q. Now, since this change in your routine -
11 that is to say, instead of asking a pilot in particular,
12 you asked to have the destination of the ship. Now, has
13 there been other delays?

14 A. I can say that we have had some delays. In
15 some cases, we have not received the message that we were
16 expecting from Cote St. Catherine Lock and it is impossible
17 for the agent in our office to know at what time a ship
18 will arrive, unless he has that information, and it
19 happened two or three times this year.

20 Q. Yesterday you mentioned some cases - I think
21 you were the one who mentioned them - of errors in inter-
22 pretation of the message when an order for a pilot was
23 given to you. Do you have an established routine when one
24 of your agents receives an order for a pilot that he
25 repeats the order in order to check it?

26 A. Concerning the despatching, he repeats the
27 order; but if you want a more specific answer, I have here
28 Mr. Viau who is in charge of this matter. More specifi-
29 cally, I can't say to my knowledge that this is how he
30 operates.



French 1 Q. Now, what are your relations with the
2 signalling and despatching staff?

3 A. In my office, you mean?

4 Q. Your relations.

5 A. They are very good on my behalf and, I
6 think, on their behalf, too.

7 Q. Do you have something to say as to the
8 choice of this staff?

9 A. No. When we need replacements, it is a
10 result of an examination organized by the Civil Service.
11 I have no choice to make.

12 Q. I thought that part of the staff was
13 employed only on a seasonal basis and I suppose that
14 these people are not³ taken as a result of a Civil Service
15 examination?

16 A. I am almost sure - I am absolutely sure
17 that it is the result of a competition even for seasonal
18 personnel.

19 Q. About one year ago, maybe less, wasn't
20 there a reduction of staff because of the austerity
21 program?

22 A. Yes. Unfortunately, when I arrived there,
23 there were some people who were lacking and it took some
24 time to replace them because of the austerity program.
25 Later on we were allowed to have a few temporary replace-
26 ments but they needed training, of course.

27 Q. Has it not happened that some of these
28 temporary replacements have abandoned their job because
29 of the very temporary nature of their job?

30 A. No, that is not true - not temporary.



French 1 They stayed up to the time that we did not need them any
2 more in Montreal.

3 Q. Are they still employed?

4 A. No. They were employed according to the
5 Civil Service Regulations; I think Article 88.

6 Q. Is it not true that to be a good despatching
7 agent it takes quite a lot of experience, which can go up
8 to two years?

9 A. I do not think it takes two years, but it
10 takes a good training, but not that long, from my point of
11 view.

12 Q. But the training is rather long, is it not?

13 A. We have given training of about two months.

14 Q. Is it not necessary for a despatching agent?

15 A. I am talking about signal services.

16 Q. I am talking about despatching.

17 A. Concerning despatching, it is a little more
18 difficult, but I think it would be better to ask these
19 questions of the Chief Despatching Agent for despatching
20 questions and the Chief Signalling Agent for questions on
21 signalling.

22 Q. Is it not necessary or desirable for any
23 applicant to a despatching post to have some knowledge of
24 navigation?

25 A. Yes, certainly it would help, but we do not
26 require it.

27 Q. Now, in the requirements of the competition
28 for these jobs, do you take into account the maritime
29 experience of the applicants?

30 A. No.



1 MR. LANGLOIS: Thank you.

2

English 3 CROSS-EXAMINATION BY MR. MAHONEY:

4 Q. Yesterday, we had some discussion concerning
5 the complaints made by the American Coast Guard with
6 respect to certain vessels which the Coast Guard complained
7 were not carrying pilots within the district St. Regis to
8 Kingston. Do you recall that?

9 A. Yes.

10 Q. And I think my friend, Mr. Lalonde, brought
11 the subject up again this morning. Now, in order to
12 clarify that situation, can you tell me what is the
13 terminal point of that district?

14 A. Perhaps the best thing I could do would be
15 to read again a letter on the subject.

16 Q. Do you mean the letter written by Captain
17 Jones?

18 A. Yes.

19 Q. Well, unless the Commission feel that their
20 memory needs to be refreshed on that, that is not quite
21 the point I am getting at. What I wanted to know is...

22 A. St. Regis...

23 Q. That is St. Regis Island, isn't it; the
24 terminal? That is the eastern terminal of the district?
25 Captain, I have a copy, thanks to Captain Slocombe, of the
26 Order in Council, which defines the Cornwall Pilotage
27 District. I want to see if it agrees with your under-
28 standing of the terminal points of that district. The
3 29 Order in Council is P.C.1960-1570 and it reads:

30 "His Excellency, The Governor General in



English 1 Council, upon the recommendation of the
2 Minister of Transport, pursuant to
3 Section 324 of the Canada Shipping Act,
4 is pleased hereby to create a pilotage
5 district to be known as the Cornwall
6 Pilotage District, with limits as
7 follows: on the east by the eastern end
8 of the Seaway approach or the eastern
9 end of the Lachine Canal in Montreal
10 Harbour and on the west by the boundary
11 line between the United States and
12 Canada where it crosses the navigation
13 channel of the River St. Lawrence, near
14 St. Regis, in the Province of Quebec,
15 and including the canals...of the River
16 St. Lawrence between the said limits..."
17 et cetera; am I right, Captain, that that means that the
18 terminal point is actually St. Regis Island and that is
19 considered the pilotage station?
20 A. Legally, yes.
21 Q. This is my understanding.
22 A. This is my understanding.
23 Q. Are there any facilities on St. Regis
24 Island?
25 A. No.
26 Q. For the accommodation of pilots?
27 A. No, there are not.
28 Q. And is this not the reason why the pilots
29 board and leave the ship at the Snell Lock; isn't that so?
30 A. This is the situation which was in existence



English 1 when I came and I presumed that is the reason.

2 Q. Yes. In other words, it is at the pilots'
3 request, then, if they are left off the ship?

4 A. That I can't say.

5 Q. But if they were not left off the ship at
6 that point, in effect they would be marooned on St. Regis
7 Island; is that not right?

8 A. Would you repeat that?

9 Q. I say if the pilot is not dropped at Snell
10 Lock, the only legal alternative, if we may call it that,
11 would be to put the pilot onto St. Regis Island in a small
12 boat, in which case he would be marooned on that island
13 without any facilities for getting ashore?

14 A. Well, if he were landed, what would happen
15 to him - I cannot answer that question.

16 Q. But in actual fact, that is what would
17 happen?

18 A. Yes.

19 Q. So that it is a matter of convenience for
20 the pilot to be left off the ship at Snell Lock rather
21 than at St. Regis?

22 A. I do not know the reason for this being
23 done, in the first place, but incidentally, it is a matter
24 of convenience, I would say.

25 Q. And so that the letters which have been
26 written by the General Superintendent of Pilots to the
27 shipping companies which have been following this practice,
28 have they been brought to the attention of the pilots
29 themselves, do you know?

30 A. The letters?



English 1 Q. Yes. Or has the Pilotage Authority brought
2 this matter to the attention of the Pilots' Association?

3 A. I couldn't say what the Pilotage Authorities
4 have done with regard to the Association. All I can say is
5 that I have copies of the letters which they have sent to
6 various companies concerned in this matter.

7 Q. But you do not know whether the matter has
8 been taken up equally with the pilots?

9 A. No, I do not know.

10 Q. Whose responsibility is it, Captain, to
11 provide for an adequate pilotage station at St. Regis
12 Island?

13 A. I think I would prefer that question to be
14 directed to the Pilotage Authority for an answer.

15 Q. But I was not trying to put you on a spot.
16 I was trying to get at whether it was an American responsi-
17 bility or a Canadian one. I will ask you to go no further
18 than that.

19 A. Even the answer to that question would be
20 very difficult for me to give and if I were to give it, it
21 would be without value. I think, again, I would suggest
22 that such a question, especially if it involves another
23 country, should be directed to a higher level than mine.

24 Q. Captain, just to change the subject for a
25 moment, yesterday we had some discussion with regard to the
26 system which is used for the training of pilots in the
27 Montreal and Quebec Pilotage Districts. You recall that
28 discussion and, unless my memory is faulty, you gave a
29 most adequate description of the career of the apprentice
30 pilot from the time that he becomes an apprentice until he



English 1 is made a pilot. You went through that procedure fairly
2 completely, I think?

3 A. To the best of my ability. I do not know if
4 it was adequate.

5 Q. And I think it was noted, or I noted in
6 your testimony, that the Department of Transport has a
7 representative on the Board of Examiners of the pilots and
8 that, in fact, some of the examination papers are set in
9 Ottawa?

10 A. That is correct.

11 Q. I just wanted to go into this generally and
12 what I want to get at is that period preceding the time
13 which you described. In other words, if a young man in
14 the Province of Quebec desires to become a pilot, how does
15 he go about it? How does he become an apprentice pilot?
16 Can you tell us that?

17 A. At the moment, we have quite a list of
18 people waiting to become apprentice pilots. Ultimately,
19 when these transitional periods are dealt with, the proce-
20 dure will be that when apprentice pilots are wanted, as
21 laid down in the bylaws, an advertisement will be inserted
22 in the local press.

23 Q. So it would be by competition, then, would
24 it?

25 A. It will be by application.

26 Q. Or by application?

27 A. Yes, it is.

28 Q. But that is not done at the present time,
29 I take it?

30 A. At the moment, we have a list, a large list



English 1 of applicants who would be entrants to the apprentice
2 service.

AG/dpw 3 Q. To whom is that application made?

4 A. Well, I have no applications at the moment
5 because of this list, but according to the bylaws, the
6 application should be made to the Regional Superintendent
7 of Pilots, Montreal.

8 Q. Do you know, of your own personal knowledge,
9 that is, in fact, how the applications are made?

10 A. I am sorry, I didn't get the question again.
11 I was thinking.

12 Q. Do you know, of your own personal knowledge,
13 that is, in fact, how the applications have been made in
14 the past, to the Regional Superintendent?

15 A. I can't say about the past, no.

16 Q. Actually, the job of Regional Superintendent
17 is not that old a job?

18 A. I didn't hear you.

19 Q. I say the position of Regional Superinten-
20 dent is not that old a position in history, is it?

21 A. Insofar as the Montreal District is
22 concerned, which is the only one I can give you any infor-
23 mation on, there was only one previous incumbent of that
24 position.

25 Q. Captain Gendron?

26 A. Yes.

27 Q. And he held the position for four or five
28 years; is that right?

29 A. I can't tell you.

30 Q. And before that there was no such position?



English 1 A. I don't know of my own knowledge, but I
2 don't think there was such a position before he took it up.

3 Q. Do you have any idea, of your own personal
4 knowledge, or of your own general knowledge, of how this
5 situation of applicants to become apprentices was dealt
6 with before there was a Superintendent?

7 A. There always was a Superintendent.

8 Q. A Regional Superintendent?

9 A. No, not of my own knowledge, no.

10 Q. Can you tell us what happens when such an
11 application is made, and again I appreciate that it
12 couldn't be of your own personal knowledge because of the
13 length of this list, but do you know, either from documents
14 in your office, or from the bylaws, the general procedure
15 which is followed?

16 A. As regards applications and so on, I suggest
17 that the District Supervisor, who has been there some 30
18 years, be questioned on that, or else a member of the
19 Board of Examiners who has been on it much longer than I
20 have, and who may have recollection or personal knowledge
21 of what was done about it.

22 Q. Well, let me put it this way, Captain
23 Catinus: if you received a letter from a prospective appli-
24 cant at this time, what would you do with it?

25 A. Well, we haven't advertised for anyone, so
26 therefore there has been no particular reason to put that
27 name on the list until we actually need - when the need
28 arises again, and we will advertise, but at the moment we
29 have quite a large list of people who are already
30 registered, and on the list of would-be applicants.



English 1 Q. But, to your knowledge, you don't
2 actually know how they got on that list, do you?
3 A. No, I don't know at all.
4 Q. And if you were to receive a letter, say,
5 tomorrow, asking to be, or applying to become an appren-
6 tice pilot, do you know what you would do with such a
7 letter?
8 A. Well, I think in view of the fact that we
9 already have a long waiting list we would inform them that
10 we already have the list.
11 Q. How many people are on that list, Captain?
12 A. Well, I have forgotten the number, but I
13 was asked this morning, and I suggested you refer the
14 question to the District Supervisor, who has that informa-
15 tion with him.
16 Q. Well, for the purposes of our present dis-
17 cussion, could you give me a general idea of the number
18 that is on that list?
19 A. It would be guesswork, but I know it is
20 quite a long list.
21 Q. Would it be over 50?
22 A. I think it is, but to get the actual facts
23 you should ask him.
24 Q. But you think it is over 50?
25 A. It is over 50, yes, but I couldn't give you
26 the exact number, because I don't have the list with me.
27 Q. I don't want to put words in your mouth,
28 Captain, but are you saying that if you received a letter
29 now, that that name wouldn't go on the bottom of the list?
30 A. I don't know the answer now. If you would



English 1 give me a little time to gain the information, I would
2 gladly answer at a later date.

3 Q. You don't know, then, yourself how such a
4 letter has been handled in the past, or would be handled
5 now?

6 A. Well, we haven't had the problem so far,
7 and I would have to give it a little more thought before
8 I could give you a factual answer.

9 Q. Would anyone else, Captain, be in a position
10 to tell us? When I say anyone else, I mean any representa-
11 tive of the Department of Transport or the Pilotage
12 Authority be in a position to tell us what has happened
13 in these cases in the past?

14 A. Well, I think it is a reasonable inference
15 to say that in the first case the previous incumbent
16 could be asked of his knowledge while he was here, and
17 certainly the Supervisor, who has been here many years,
18 could give you a much better picture of what has happened.

19 Q. Well, actually the letters of application
20 aren't addressed to him, but he would have a better know-
21 ledge of the situation, would he?

22 A. Well, I can't say how they have been
23 addressed in the past.

24 Q. I am not trying to press you on this point,
25 Captain, but if you were to receive such a letter, say, in
26 tomorrow's post, would you consult with anyone?

27 A. I always make it my business to consult with
28 anyone who can give me information on something I am not
29 sure of, so I would.

30 Q. Well, in this case, who would you consult?



English

A. The Board of Examiners. You may be sure that whatever would be done would be done with fairness and in accordance with the regulations as they stand at this moment.

Q. What I am getting at, Captain, is do you know, in the past, how much influence the Board of Examiners has exercised over the choice of such applicants? Is it an automatic thing?

A. The choice of applicants or the choice of entry? The choice of those accepted as apprentices, or of those who have put their names down?

Q. No, those who are accepted as apprentices. I take it that everyone who applies is not accepted, for one reason or another?

A. I should point out that they have to meet certain requirements, and if they don't meet those requirements they would be automatically rejected. Now, if they do meet those requirements, then they would be taken - let me think now. They would be taken and questioned in the order of application.

Q. Questioned by whom?

A. Do you mean in the present or in the past?

Q. Well, either one.

A. In the past, I can't tell you.

Q. In the present?

A. I am sorry. Don't think I am trying to be facetious. I am trying to give you factual information, and that is why I want to be precise. In the present, then, they come along, and they are questioned, their records examined, and their documents gone into by a



English 1 member of the Pilots' Committee and myself.

2 Q. By a member of?

3 A. I am sorry. I should say a member of the
4 Board of Examiners and myself, and we had that quite
5 recently.

6 Q. Let's define it a little more. By a member
7 of the Board of Examiners?

8 A. No. By the Board of Examiners and myself.

9 Q. As a group?

10 A. Yes.

11 Q. There would be a review of the particular
12 case by the Board, and a decision would be made as to
13 whether the applicant would be accepted as an apprentice?

14 A. He would be first of all reviewed, to see
15 whether he met the requirements of entrants as an appren-
16 tice, and then, according to the number that we wanted,
17 that the service required, that number of apprentices, or,
18 at least, would-be apprentices, would be called. Their
19 documents and so on would be examined. They would receive,
20 as I mentioned earlier on, this oral examination. They
21 would have explained to them what was required of them.

22 For instance, how long it would last. They
23 would be given documents as I mentioned earlier on, and
24 then they would become apprentices.

2 25 Q. But this only takes place after they have
26 actually been accepted as apprentices?

27 A. I may be getting confused. Are you talking
28 about acceptance as apprentices, or acceptance on the list
29 of would-be apprentices?

30 Q. Well, isn't it the same thing?



English

1 A. No; we have a list of apprentices, but then
2 it is only when we need them.

3 Q. These are applicants for the position of
4 apprentices; right?

5 A. Well, I suggest, to avoid confusion, a more
6 experienced member than I am would be more capable of
7 dealing with this question, in the past and the present.

8 Q. One point of interest which I think arose
9 this morning, Captain, and I bring it up only for purposes
10 of clarification, I think you stated in reply to a question
11 by Mr. Langlois that most of the ships entering the St.
12 Lawrence system were equipped with radio telephone?

13 A. Proceeding from east of Montreal to Montreal,
14 a majority of them appear to be equipped, or are equipped
15 with the radio telephone, yes.

16 Q. I think you differed with my friend, Mr.
17 Langlois, on that point. He suggested, I recall, that the
18 majority of ships in the system weren't so equipped, or
19 had to rent equipment in Montreal in order to proceed up
20 the Seaway.

21 A. I don't have any books of what went on, but
22 to the best of my recollection most of them do have.

23 Q. Yes. Isn't it a fact that in the recent
24 years a number of international conventions have been held
25 which have greatly increased the number of vessels that
26 have been equipped with the radio telephone in world trade?
27 Are you familiar with that trend in the past few years?

28 A. I don't know of any regulations making it
29 compulsory, but I know there is a trend towards more equip-
30 ment, generally, yes.



English 1 Q. Yes; and, in fact, in most ports which we
2 may consider world ports, continental ports, and others,
3 radio telephone equipment and, in particular, V.H.F.
4 equipment is required, is it not?

5 A. I don't know.

6 Q. You don't know that of your own knowledge?

7 A. That is correct.

8 Q. Now, Captain Catinus, with regard to the
9 reported casualties, and I am only reading the title,
10 involving pilots in the District of Montreal, again I take
11 it that your personal knowledge of this only goes back a
12 period of one year; that is correct, is it not?

13 A. That is correct.

14 Q. Do you know if this list for the 1962 navi-
15 gation season is complete; that is, if every accident -
16 let's put it this way: if every ---

17 A. Every casualty that was reported to me.

18 Q. Yes. Let's put it that way.

19 A. No, I don't think so. I didn't make out
20 this list. I think it must have come from Ottawa, and I
21 was looking for one ship in particular with which I have
22 had dealings, and I don't see it on the list.

23 Q. Do you know how incomplete it is?

24 A. No, I was going to try and find out when I
25 was free from this testimony.

26 Q. Could that information be supplied?

27 A. I could give you a copy of every casualty
28 report that has been received by me during the 1962
29 season. We keep those records.

30 Q. Yes. So that for 1962, at least, you could



English provide a more complete list than this?

2 A. Yes, indeed I could.

3 Q. Would it be a considerably larger number?

4 A. I wanted to look into this question as soon
5 as I had time, because I happened to notice that there was
6 certainly one missing. I just wanted to check up. I
7 don't know offhand.

8 MR. JACQUES: May I interrupt? I have already
9 requested the witness to bring to the court all the files
10 on casualties which have occurred since he has held office,
11 and he will be available with all his files to give his
12 information on each and every casualty.

13 MR. MAHONEY: My lord, I am suggesting that in
14 view of what my friend has said, while I didn't suggest it
15 to this witness because of his limited experience in time,
16 but I request that the list be made as complete as possible,
17 at least as far back as 1958.

18 MR. JACQUES: I am sure this could be arranged.

19 THE CHAIRMAN: Something which could be done also
20 is to ask the one who prepared this list why some cases
21 were not included and those others were. Maybe there was
22 a distinction made, and this could be ascertained.

23 MR. JACQUES: Yes, we could ascertain from
24 Ottawa why the list was not complete, but so far as I am
25 concerned, I have no means of checking this list unless I
26 go through the Supervisor's file.

27 THE CHAIRMAN: So that we suggest that before
28 any further examination be made on this point that first
29 you receive the file of the Regional Superintendent, and
30 that you compare the list prepared by Ottawa with his



English 1 information, and, if necessary, contact the one who pre-
2 pared the list in Ottawa, to inquire why those other cases
3 weren't entered.

4 MR. JACQUES: I hope this is not required for
5 them all.

6 THE CHAIRMAN: No, this is all right.

7 MR. LALONDE: In 1962, I have counted 59 acci-
8 dents on the list provided by the Commission counsel, and
9 in the report issued by Captain Catinus, Exhibit No. 534,
10 there is a report of 63 casualties, which would seem to
11 indicate about four missing.

12 THE CHAIRMAN: So maybe it will be obvious after
13 just a little study of the cases that were not included
14 that you could see maybe that they were so slight or of
15 little importance that they were left out as incidents
16 rather than accidents.

17 MR. JACQUES: I don't think so, my lord.

18 MR. MAHONEY: I must disagree also, my lord.

19 MR. JACQUES: Because I am aware of one case
20 which is still, in fact, pending, and it is apparently
21 quite involved, and it is not on the exhibit.

22 MR. MAHONEY: I am more particularly concerned
23 with cases going back beyond 1962, but I, too, am aware
24 of cases which are of a more serious nature and which are
25 not reported.

26 THE CHAIRMAN: So we will put you on the stand
27 and we will hear you now.

28 Q. Captain, just glancing through the list for
29 1962, and if the information for which I am now asking
30 will be given in more detail in your files, then please



English 1 tell me, and I will press it no further, but I note that in
2 a number of cases the cause of the accident is listed as
3 unknown, while others have a valid reason. Surely it is
4 almost inconceivable that some cause of such an accident
5 couldn't be included in the report. Do your files show
6 any further detail?

7 A. They do, indeed.

8 Q. So that this list stating causes to be
9 unknown again is not correct?

10 A. Well, I have never made any report using the
11 word unknown, and in the case of each casualty report with
12 which I have had dealings I have always sent a covering
13 letter and a copy of the covering letter, together with a
14 copy of the casualty report, is available in each case.

15 Q. Yes; and in addition to the word unknown, I
16 note other instances here which are not really explanations
17 of what happened, even though I realize it is difficult to
18 place an explanation in such a short place, but pilot
19 error is not really an explanation, is it?

20 A. Certainly not.

21 Q. Nor is crew error?

22 A. But, as I pointed out, this list was not
23 drawn up by me.

24 Q. I appreciate that, yes. I think you stated
25 this morning that, in reply to a question by my friend,
26 Mr. Langlois, every incident, let us say, which involves
27 damage, must be reported by the pilot by way of a pink
28 slip; is that correct?

29 A. I said that he has to submit a casualty
30 report.



English 1 Q. That is a pink slip, though?

2 A. Yes, it is.

3 3 THE CHAIRMAN: While we are on that subject, do
4 I understand that the pink slip is prepared in all cases,
5 whether it is slight damage or major damage, in all cases,
6 and when it is found that it is worthy of further investi-
7 gation, then the formal investigation is carried out? The
8 same thing as it is in the Army?

9 THE WITNESS: Yes.

10 Q. I recall that you also said that the
11 breaking of a mooring line would not be sufficient reason
12 to expect a casualty report from the pilot; is that right?

13 A. Well, normally, it depends on the circum-
14 stances - I can't just give a blanket answer, a flat no
15 to that, but under normal circumstances, a broken mooring
16 line resulting in nothing more than a broken mooring line,
17 would certainly not be the subject of a report.

18 Q. Supposing that the mooring lines of another
19 ship were parted as a result, say, of the excessive speed
20 of the moving ship, would you expect an incident of that
21 nature to be reported?

22 A. The first report would undoubtedly come
23 from the ship whose lines were parted, and probably not
24 from the ship that caused it. We would then check up and
25 find out what ship it was, if we were not told, and find
26 out who was the pilot, if there were a pilot on board, and
27 obtain a report from the ship. If we had the report in
28 time from the ship and the pilot of the actions and the
29 speed of the ship that were held to blame by the one that
30 suffered the damage, it would not be the subject of a



English1 casualty report as such.

2 Q. Do you get many such complaints?

3 A. Not too many, no. We keep a file of them,
4 and all the District Supervisors have files of these
5 complaints, and the action they took on them.

6 Q. So that some action is taken on each of
7 these? It is investigated and appropriate action is taken?

8 A. Yes.

9 Q. Have you had any such complaints that you
10 recall in the recent past; say, in the last ten days or
11 two weeks?

12 A. None have come to me, but that is not to say
13 that the District Supervisor hasn't had some. You would
14 have to ask him.

15 MR. JACQUES: Excuse me. I might interject, and
16 try to clarify the situation. In the cases of casualties
17 The Canada Shipping Act, Section 553, which is applicable
18 only to Canadian ships wherever they may be and to British
19 ships when they are within the limits of or on or near the
20 coast of Canada, a report has to be filed with the Chief
21 Officer of Customs regarding a casualty.

22 THE CHAIRMAN: But that is not the pink slip.

23 MR. JACQUES: It is not the pink slip. The pink
24 slip is a report which the pilot has to file, quite
25 different and quite apart from the report filed by the
26 master of a Canadian or British ship, but the pink slip is
27 filed by the pilot in all cases of casualties, whether they
28 be Canadian ships or British ships. With the exhibit as
29 filed we have not a complete picture, because these are
30 cases where pilots were on board, or pilots made the



English 1 report.

2 There were other cases involving Canadian or
3 British ships without pilots aboard suffering a casualty
4 within the limits of the district. These would not
5 appear on the exhibit, and we would have to check with the
6 Collector of Customs to find out any information as regards
7 these accidents, and yet these, my lord, are reported
8 accidents. There is nothing to establish that all acci-
9 dents have, in fact, been reported.

10 THE CHAIRMAN: So, with regard to a foreign-flag
11 ship having no pilot aboard there would not be any pink
12 slip filed, nor would there be any casualty report?

13 MR. JACQUES: Nothing. There would be nothing
14 except if she were repaired and somebody would know about
15 that, but initially in the records there would be nothing
16 at all.

17 THE CHAIRMAN: And the pink slip is only a matter
18 for the Pilotage Authority, that is all?

19 MR. JACQUES: Yes, my lord.

20

21 CROSS-EXAMINATION BY MR. BRISSET:

22 Q. Captain, before entering into any other
23 subject I want to go back to the problem at St. Regis in
24 the Pilotage District of Cornwall.

25 Am I right, Captain, if I say that the limits of
26 District 1, Pilotage District No. 1, on the Great Lakes
27 extend from above Kingston to down a line crossing the
28 river at the Island of St. Regis?

29 A. Yes.

30 Q. That is correct. Now, when the bylaws for



English 1 that District provide for a tariff for pilotage between the
2 two limits of the District, the fee paid for such pilotage
3 includes, does not it, the passage between Snell Lock and
4 St. Regis? In other words, you pay a fee for pilotage
5 throughout the District, don't you?

6 A. Throughout the Pilotage District, yes.

PE/dpw 7 Q. So therefore, if a ship, say, downbound
8 leaves the pilot at Snell Lock, it is simply for the
9 convenience of the pilot because the fee has been paid
10 down to St. Regis?

11 A. I do not feel qualified to answer this
12 question, which has not been completely cleared up yet
13 and which is a matter of some correspondence.

14 Q. Well, Captain, would you agree that in
15 pilotage matters one has to be practical? It would
16 certainly be, for the pilot, a master using a perverted
17 sense of humour if he were to throw the pilot overboard
18 or put him overboard at St. Regis, where there is no
19 accommodation for him to land, although he would thereby
20 conform strictly to the letter of the law?

21 A. As far as I can see, he would be complying
22 with the letter of the law; but this is a situation which
23 we have, fortunately, not encountered. As I say, this is
24 a situation which has only come up recently and it has not
25 been dealt with completely yet. I suggest that the ques-
26 tion be directed to the authorities who draw up the regu-
27 lations.

28 Q. Do you know the source of the complaints
29 about the breach of the law which has occurred in that
30 district?



English 1 A. I am sorry. I did not hear you.

2 Q. Do you know what is the source of the
3 complaint regarding breaches of the pilotage laws in that
4 district?

5 A. I am speaking from memory. I think that
6 the first inclination was a telephone call from the
7 Supervisor of Pilots in Cornwall that he had been told by
8 the United States Coast Guard about this breach of regula-
9 tions. I am quite sure the matter was followed by letter.
10 If you will permit me, I will just look.

11 Q. To proceed further, it would be sufficient
12 if you would tell me whether the pilots themselves have
13 lodged any complaint with you as the Regional Superinten-
14 dent?

15 A. No. I have had no written complaint from
16 the pilots, although they are well aware of the situation.
17 But the complaints originated, to the best of my recollec-
18 tion, with a telephone call that we received on the subject
19 and, as I said, I could just check on this. I think it was
20 then followed by letter. Immediately on receipt of this
21 information, I 'phoned up the authorities in Ottawa to
22 draw attention to this situation.

23 Q. You told us that letters had been addressed
24 to all the companies involved in this problem. Would you
25 give us the names of those companies?

26 A. I will just get the letters, if I may.

27 Q. You have already mentioned one, the Hall
28 Corporation?

29 A. You would prefer me to give the actual names
30 from the letters, copies of which I have, rather than my



English 1 memory?

2 Q. Yes, please.

3 A. May I ask whether it is in order to give
4 the names, in which case I will read them out?

5 THE CHAIRMAN: Yes, it will be quite all right.

6 THE WITNESS: Thank you, my lord. I might add,
7 before I give these names, that I have a copy here of the
8 letter addressed to the Superintendent of Pilotage and
9 written, or signed, by the Supervisor of Pilots at Cornwall
10 on this subject. The letters which were written by the
11 Superintendent of Pilotage on the subject to the companies
12 are dated as follows: on June 17th, a letter was addressed
13 to the Hall Corporation of Canada, Montreal, Province of
14 Quebec. On June 27th - all of this year - an identical
15 letter was sent, addressed to the Quebec and Ontario Trans-
16 port Company, 680 Sherbrooke Street West, Montreal, Quebec.
17 On the 27th of June of this year, a further letter was
18 sent to the Hall Corporation of Canada.

19 I should point out that the first one dealt
20 specifically with a ship called the "Carl Schmedeman."
21 That was the first letter to the Hall Corporation, dated
22 June 17th.

23 The second one, addressed to the same company,
24 adds the name of the "Stomefax." It goes on to say that
25 it similarly had been operating in designated waters.

26 Then there is a letter here dated June 27th,
27 1963, addressed to the Hindman Transport Company, Owen
28 Sound, Ontario. On the same date, a letter was sent,
29 addressed to the Westdale Shipping Limited, Room 207,
30 485 McGill Street, Montreal.



English 1

2 Q. May I interrupt you here and, with the
3 court's permission, would you file the copy of this letter
4 in the record as Exhibit No. 544? Will you examine it as
5 to determine whether it is an exact copy of the letter
6 which you have on file?

7 A. If you will permit me a moment, I will read
8 it through. It is an exact copy, except that there are
9 some initials on the top righthand corner which do not
10 appear in the letter that is being presented as an
11 exhibit.

12 Q. Will you file it, please? The letter is
13 a letter dated June 27th, 1963, addressed by the Superin-
14 tendent of Pilotage to Westdale Shipping Limited, regarding
15 their vessels "Elmdale," "Sprucedale," "Pinedale," and
16 "Hillsdale," navigating between St. Regis and the Snell
17 Lock without pilots.

18 --- EXHIBIT NO. 544: Letter dated June 27th, 1963,
19 addressed by the Superintendent of
20 Pilotage to Westdale Shipping
21 Limited, regarding their vessels
22 "Elmdale," "Sprucedale," "Pinedale,"
23 and "Hillsdale," navigating between
24 St. Regis and the Snell Lock without
25 pilots.

26 Q. Have you any other names, Captain, of
27 companies to which similar letters were sent?

28 A. There is one final letter here of the same
29 date, June 27th, 1963. This letter is addressed to
30 Canada Steamship Lines Limited, Postal Box 100, Montreal,
Quebec. That is the last letter.

Q. Now, Captain, are you aware that all the



English 1 vessels the names of which are given in these letters are
2 lake vessels and not ocean vessels?

3 A. Do you mean if they trade - do you mean am
4 I aware of the fact that they trade exclusively on the
5 lakes?

6 Q. They trade within the same area as other
7 lake vessels, what we call "lake vessels"?

8 A. They are at the present time trading in the
9 same area as other lake vessels, but I understand that one
10 of them trades elsewhere during the season of closed navi-
11 gation on the lakes.

12 Q. But leaving that one aside, the others are
13 strictly lake vessels, aren't they, built in the shape of
14 lake vessels and trading on the lakes?

15 A. Now, I am not in a position to give a
16 certain reply in the case of one other. That I can find
2 17 out, of course. This is the case of another company, not
18 the letter that you filed. I understand it is not a lake
19 vessel. I can name it, if you wish.

20 Q. Yes, all right.

21 A. I am not sure in the case of the ship
22 called the "Thorold," of my own knowledge.

23 Q. However, you are satisfied that the four
24 ships named in the letter to the Westdale Shipping Limited
25 are lake vessels, aren't you: the "Elmdale," "Sprucedale,"
26 "Pinedale," and "Hillsdale"?

27 A. Yes. I have seen those ships; they are
28 what I would call lake vessels, built originally for the
29 lakes and operating on the lakes.

30 Q. Are you also aware, Captain, that all these



English 1 vessels are crewed with Canadian masters and officers?

2 A. No, I am not aware of those details at all.

3 I have no personal knowledge of this, no.

4 Q. Well, for the purpose of the questions I
5 will put to you, I would like you to assume that they are
6 so crewed with Canadian masters or the certificates for the
7 masters and officers all being certificates for the lakes.

8 A. I beg your pardon?

9 Q. I will ask you to assume this.

10 A. Yes, I will assume it. Yes, certainly.

11 Q. Now, on this assumption - or, before I
12 proceed, you are also aware that all these vessels fly the
13 British flag but are not registered in Canada but, rather,
14 in a Commonwealth country, are you?

15 A. I will say that I am aware of the fact that
16 they are registered in a Commonwealth country, but it
17 might be a fine distinction whether the Commonwealth flags
18 as such would be a British flag or just a Commonwealth
19 flag. That, I can't answer, but I know that they are regi-
20 stered in Commonwealth ports. I am trying to be as exact
21 as possible.

22 Q. Let us call it a British flag, if you wish.

23 A. Another assumption?

24 Q. Yes. Captain, are you aware that under the
25 laws and regulations applying in District No. 1, those
26 ships, assuming they have Canadian officers and masters
27 with Canadian certificates, would not be obliged to carry
28 pilots if they were with a Canadian flag or registered in
29 Canada?

30 A. Yes.



English 1

Q. So that the necessity for them to carry

2 pilots is only because of their flag and not because,

3 really, of the safety of navigation of pilotage require-

4 ments?

5 A. This is outside of my jurisdiction but it

6 is because, I would say, of their registry and decided on

7 by the Authority and I can only conclude or assume, I

8 believe, that it is because they are registered neither in

9 Canada nor the United States.

10 Q. Now, I understood you this morning, Captain,

11 to say that perhaps to solve the problem, the suggestion

12 was made - and I am not too sure of the source of this

13 suggestion - that these vessels should take a Cornwall

14 pilot between Cornwall and Montreal here in the eastern

15 end of the District?

16 A. I said this morning - and this is what I

17 was told by telephone, and presume this information was

18 also made available to the authorities in Ottawa - that

19 the American Coast Guard would be prepared to accept the

20 use of or employment of licensed Canadian pilots for the

21 District down to the St. Regis ranges and in the Cornwall

22 District Bylaws there is a pro rata system of payments

23 which would be put into use for the time which the pilots

24 were actually piloting a ship.

25 Q. To be practical again, Captain, if the

26 District No. 1 pilot could not be landed in St. Regis

27 because there is no facility to do so, wouldn't the prac-

28 tical result of the suggestion be that the pilot would

29 have to be carried from Cornwall to Montreal?

30 A. No. He could get off, from a practical



English 1 point of view, at Beauharnois.

2 Q. At Beauharnois? However, the ship would
3 have to pay pilotage dues from Cornwall to Beauharnois,
4 wouldn't they?

5 A. No. My understanding is that - I am
6 speaking as of my understanding - that they could be
7 called upon to pay the dues for the time that they were
8 operating, which would be down to St. Regis, plus trans-
9 portation to go back to Cornwall or Montreal, transporta-
10 tion costs being payable as laid down in the regulations.
11 This is my understanding, but it is a matter which is
12 still unsettled.

13 Q. Have you figured out what would be the cost
14 to the ship for such a pilotage from Cornwall to St. Regis,
15 already paid once in District No. 1, to bring the ship down
16 to Beauharnois with a pilot on board?

17 A. No, sir. I have no reason to and I have
18 not figured it out.

19 Q. Well, would you agree with my suggestion
20 that this is another type of economic pressure being put
21 on shipowners in the guise of pilotage requirements, that
22 have nothing to do with safety of navigation?

23 A. I do not have any knowledge of any previous
24 economic pressure. I am not an expert on the subject and,
25 therefore, I couldn't agree with it being another.

26 MR. LALONDE: On a point of order, for the
27 purposes of clarifying the record, my friend has said that
28 the charge for the pilotage has already been paid once
29 between St. Regis and Snell Lock, in District No. 1. I
30 would appreciate it if he would indicate in the Kingston



English 1 Pilotage District whether the tariff goes from St. Regis
2 to Kingston or whether the tariff is not from Snell Lock
3 to Kingston. He may be right, but I would like to find
4 out very clearly about this because I think he mis-stated
5 the fact.

6 THE CHAIRMAN: It was only a question. He is
7 not a witness.

8 MR. LALONDE: Yes. But he stated that in view
9 of that fact that this had already been paid twice and I
10 would like the question to be clarified in view of the fact
11 that he made that particular statement.

12 THE CHAIRMAN: I think in view of your remarks
13 that you are not going to take that for granted and we
14 will leave it at that.

15 MR. LALONDE: That was my purpose, my lord.

16 MR. BRISSET: May I quote, my lord, the tariff
17 for the Kingston District?

18 THE CHAIRMAN: You may.

19 MR. BRISSET: Schedule A(1):

20 "The charge for a trip from the pilot
21 boarding station near St. Regis, Quebec,
22 to the western limit of the district, or
23 vice versa, shall be \$5 per foot draught,
24 plus one-half cent per ton registered
25 tonnage."

26 MR. LALONDE: Is my friend referring to the
27 Kingston District? I think it must be three or five years
28 old now. This is not the bylaw which is in existence at
29 the present time. I am sorry.

3 30 MR. BRISSET: I was given the wrong document; yes.



English 1 I have to concede that my friend is right. Looking at the
2 Kingston tariff, the tariff Schedule B of the Kingston
3 Bylaws reads:

4 "This District No. 1, from Snell Lock to
5 Cape Vincent, or vice versa, \$200."

6 I will make a further statement, that there does
7 not appear to be any item of tariff specifically providing
8 for a trip from Snell Lock to St. Regis.

9 MR. LALONDE: If you read the Cornwall District
10 Bylaw, you might find something.

11 THE CHAIRMAN: I suppose you have quite a few
12 questions still to ask the witness?

13 MR. BRISSET: I have only one more statement to
14 make on this subject, my lord. For the information of the
15 court, if we look now at the tariff in the lower district
16 from Montreal to Cornwall, the provisions read as follows -
17 I think at least one way you pay for it, if my memory
18 serves me properly. I am quoting from Schedule A of the
19 Cornwall Pilotage District General Bylaw, which gives the
20 pilotage tariff.

21 The first section reads:

22 "The charge for a trip from the eastern
23 limit of the District to Cornwall or to
24 the pilot boarding station near St. Regis,
25 Quebec, or vice versa, shall be \$160."

26 THE CHAIRMAN: I think you still have some ques-
27 tions?

28 MR. BRISSET: Yes, but on another subject.

G/dpw 29 Q. Captain, you have your office on Sutherland
30 Pier, in the same building as this pilotage despatching



English 1 office and your Supervisor's office; right?

2 A. That is correct.

3 Q. Your immediate superior is Captain D.R.

4 Jones in Ottawa?

5 A. That is correct.

6 Q. And your immediate subordinates are the
7 three Supervisors in Montreal, Cornwall, and Quebec?

8 A. Well, we have the positions, yes. At the
9 moment we don't have one in Quebec.

10 Q. I understand that the Supervisor in Montreal
11 has jurisdiction over Three Rivers and Sorel; correct?

12 A. That is correct.

13 Q. And in Cornwall, the Supervisor has juris-
14 diction over Kingston?

15 A. I didn't hear the question; I am sorry.

16 Q. The Supervisor in Cornwall has jurisdiction
17 over Kingston?

18 A. Yes, that is right. I don't have jurisdic-
19 tion over the Supervisor in Cornwall, because although he
20 may be in Cornwall, he is the Supervisor for the Kingston
21 District, and the District Supervisor in Montreal is
22 responsible for the Cornwall Pilotage District in addition
23 to Montreal Harbour and River.

24 Q. The District Supervisor in Quebec has juris-
25 diction over Les Escoumains and in the Saguenay River at
26 Port Alfred?

27 A. That is right.

28 Q. And you said that at the moment there is no
29 District Supervisor in Quebec. Since when is this?

30 A. I could be a little wrong, but I think it is



English 1 since the 1st of May, but it is this year after the
2 opening of navigation, and I believe - I could look it up -
3 that he left us the 1st of May, 1963.

4 Q. If I may use this expression: who is pinch-
5 hitting for him?

6 A. The Chief Clerk in the office, a man named
7 Maheux.

8 Q. Captain, look at Exhibit 542, which was the
9 advertisement put out describing your functions. Would I
10 be right in suggesting that you are, in fact, agent deliaison
11 between the Department in Ottawa and the various District
12 Supervisors?

13 A. With the difference that Kingston no longer
14 concerns me, as mentioned in there, but it is actually no
15 concern of mine. The Kingston Pilotage District is deleted.

16 Q. You have mentioned yesterday that when the
17 District Supervisors have a problem they will come to you,
18 and I take it, then, that you investigate and make a report
19 to your superiors in Ottawa; is that correct?

20 A. If they have a problem which can't be
21 decided locally, if the nature of the problem warrants it,
22 then I would communicate with Ottawa. That is correct.

23 Q. Could you give us an illustration of the
24 nature of the problems that you would pass on to the
25 Authority in Ottawa, with your recommendations? Would you
26 give us an example of this?

27 A. I will have to think a little about that.
28 Well, these little problems are ones of a very minor
29 nature, say, to do with the facilities suggested for the
30 Basse Cove embarkation arrangements. When the suggestion



English 1 was made to me by the then Supervisor in Quebec, I
2 received this letter and reported on it, and also made
3 some other suggestions for the same place. It was only a
4 small problem, but this entailed the facilities, or projec-
5 ted facilities in the place. It was a purely internal
6 problem, but it had to be referred to Ottawa because it
7 meant the expenditure of public funds.

8 Q. Am I right in concluding that every time
9 the expenditure of public funds is concerned you have to
10 refer to superior authority?

11 A. No. The Supervisor has the authority to
12 spend up to \$200 without approval from Ottawa.

13 Q. You have mentioned, during the course of
14 your evidence, and perhaps other witnesses have testified
15 to that effect, that three problems, which I have noted,
16 have arisen during the year you have been in office, and
17 I would like to review these.

18 The first one was related to the dispute between
19 the Seaway pilots and the harbour pilots with regard to the
20 changeover at St. Lambert. I would like to know whether
21 any attempt was made locally to settle this dispute.

22 A. This problem didn't arise in the twelve
23 months that I have been here. It arose before then, and
24 was settled before then.

25 It was only changes, or representations, that
26 were made after the settlement which have brought about
27 even more recent changes, but although I wasn't here I
28 know that meetings were held between the parties concerned.
29 That is to say the two corporations in the presence of my
30 predecessor. It might be in the nature of hearsay evidence,



English 1 however, but there was nothing by the time I came here.
2 The problem had already existed and had been solved after
3 one fashion in the form of a directive from the Superinten-
4 dent of Pilots as to where this relieving should take
5 place. This was March or early April last year.

6 THE CHAIRMAN: You mean by the District Superin-
7 tendent?

8 THE WITNESS: No, I am sorry, my lord. A direc-
9 tive, that is directing the place of relieving of pilots
10 was sent by the Superintendent of Pilotage in Ottawa.

11 Q. However, am I not right in saying that the
12 problem really became acute in this Spring of 1963?

13 A. No, I don't think you are right in saying
14 that at all. I think the problem was acute before then
15 and it was certainly for that problem that the directive
16 was issued by the Superintendent of Pilotage, but since
17 then representations have been made by the Montreal
18 Harbour pilots on the subject at various levels in Ottawa,
19 the latest being this temporary arrangement, as I under-
20 stand it to be, that subject to the conclusion of an
21 investigation of the matter they will be relieved at what
22 is known as Station No. 1.

23 Q. At all events, the decision to have the
24 matter investigated by the firm of G.T.R. Campbell, Naval
25 Architects and Marine Surveyors, was made this year?

26 A. Yes, that is correct.

27 Q. Now, who took the responsibility of
28 appointing them? Was it done at the local level by you,
29 or by Ottawa?

30 A. It was not done by me. It was done in



English 1 Ottawa.

2 Q. Are Messrs. G.T.R. Campbell to report to
3 you, or to Ottawa?

4 A. I have no instructions indicating that they
5 are to report to me, so I can presume that their reports
6 will be made to Ottawa.

7 Q. Are you aware of the fee they are going to
8 charge for this investigation in the port?

9 A. No, sir, I am not.

10 Q. Are you able to say whether it has been
11 agreed between the parties in dispute that their decision
12 or recommendation will be accepted by the two corporations
13 that are in dispute over the changeover at St. Lambert?

14 A. No, sir, I am not.

15 Q. Would you expect that to be the case,
16 though, or is it asking you too much?

17 A. I am afraid it would be prognosticating.
18 I really couldn't commit myself as to the reactions of
19 any recommendations which might be made in the future.
20 It would be impossible for me to forecast.

21 Q. Before this directive was issued that the
22 harbour pilots would take the vessel right up to Station
23 No. 1, if the lock was not free the Seaway pilot would
24 then move the ship from Station No. 1 into the lock. Are
25 you aware that the harbour pilots had left their ship at
26 the lock wall below Station No. 1 at one time?

27 A. Upon the receipt of the directive of last
28 year saying that the harbour pilots had to take their
29 ships into the lock regardless of whether the lock gates
30 were open or shut, and by that I mean regardless of



English 1 whether they tied up or not, I am not aware of any pilot
2 getting off the ship below the lock. They went into the
3 lock, even if they had to tie up and go in, of course,
4 when the lock was available.

2 5 Q. So you say that at no time this year have
6 the harbour pilots left their vessel tied up at the lock
7 wall below the lock?

8 A. I am not aware of any harbour pilot having
9 left the vessel at the tie-up wall this year, no. That is
10 to say, before the directive, before this arrangement
11 about Station No. 1, of course.

12 Q. Now, are you aware whether the shipping
13 interests were consulted at all in connection with this
14 problem before the appointment of G.T.R. Campbell as
15 advisors?

16 A. Yes, there was a meeting in which shipping
17 interests were represented last year, at which I was
18 present, and the Director of Marine Regulations, Mr.
19 Cummings, was present when this whole question was gone
20 into, and this was held here in Montreal. Mr. Cummings
21 was present; Captain Slocombe was present - I am speaking
22 from memory - I thought he was. I should say Captain
23 Jones, Captain Madison; a large number of people were
24 present at this meeting, which was, should I say, chaired
25 by the Director of Marine Regulations. I could look up
26 the time at which this meeting was held.

27 Q. Well, I am particularly interested in a
28 meeting this year. Was there any such meeting in 1963?

29 A. No meeting in which I took part.

30 Q. You have recommended, or at least indicated,



English 1 that you were in agreement with a recommendation that there
2 be decentralization insofar as the administration of
3 pilotage is concerned.

4 Keeping that in mind, would you agree that the
5 problem we have been speaking of could be one that should
6 have been settled at the local level?

7 A. I really can't answer the question
8 completely, because I don't know. I think it should have
9 been, could have been, settled at the local level, but I
10 am in no position to pass any comment as to why it wasn't
11 when the disagreement first came about, but I don't know
12 exactly what was done at the local level in order to
13 resolve this problem, but I imagine that it might have been
14 possible, but this is only an opinion.

15 Q. When you speak of decentralization am I
16 right in understanding that what you are recommending is
17 greater authority insofar as the administration of pilotage
18 is concerned, at the local level?

19 A. This was just a casual answer to a casual
20 question and I don't think that I can give a detailed and
21 valuable answer just on the spur of the moment, but I
22 certainly feel that, as in every other walk of life, there
23 are probably some changes which could be an improvement.
24 I couldn't specify them in detail now, but it would be, to
25 a certain extent, in the form of some sort of decentraliza-
26 tion, the extent and scope of which I couldn't possibly
27 answer now.

28 Q. Now, Captain, are you aware that during
29 your year of office when problems have arisen pilots or
30 their corporations have gone directly to the Authority



English 1 in Ottawa, rather than to you?

2 A. Not in all cases, no, but they have been
3 in some cases to Ottawa, and in some cases they have come
4 to me.

5 Q. But you are aware of cases where they have
6 gone over the local authority to the central authority in
7 Ottawa?

8 A. Oh, yes, there have been cases.

9 Q. Will you give us an illustration of a type
10 of case like this?

11 A. Well, I could give you an illustration
12 which doesn't actually concern this District, if you wish
13 me to.

14 Q. Yes?

15 A. There was a request at one time for pilots,
16 additional pilots, in the Quebec District, and this request
17 was sent on to Ottawa, and then I know that after that
18 there were meetings and consultations directly between the
19 Quebec Pilotage District pilots and the authorities in
20 Ottawa on the subject, in the form of telephone, and, I
21 believe, a meeting as well. This is hearsay, of course,
22 but I know that there was contact which bypassed both the
23 Quebec Supervisor and myself, but that is just an example.

24 Q. Now, in matters of tariff revisions or
25 modifications what is the procedure followed? Do the
26 pilots' corporations go to you, or is that dealt with
27 strictly in Ottawa?

28 A. It hasn't arisen since I have been here,
29 so I can't say what they would do, but I believe that the
30 matter - I understand that the whole question of tariffs



English 1 and so on is in a static state for three years. I believe
2 I am right in saying that, from the time that the pilots
3 were holding their meetings, but I have not encountered
4 the question myself.

5 Q. I notice that you use the phrase "pilots
6 holding meetings," rather than going on strike. Is there
7 any purpose for that?

8 A. The purpose of conversation, as far as I
9 am concerned, is to convey an idea, and if I can convey
10 that meaning I will do so.

11 Q. I think you have conveyed the idea. In
12 your conversations with pilots during the last year, your
13 limited experience, have you ever been faced with threats
14 of strike, or refusal to work?

15 A. I have never been faced with threats of
16 strike or refusal to work, no.

17 MR. JACQUES: Threats of meetings?

18 THE WITNESS: Threats of meetings, prayer
19 meetings, or anything else, I have been threatened with
20 nothing.

21 I mention prayer meetings because I remember in
22 another case something, they called the union members out,
23 ostensibly for prayer meetings. It was not meant to be
24 facetious.

25 Q. Captain, would you take before you the
26 bylaws of the Montreal Pilotage District, which I think
27 are Exhibit No. 430? I would like to refer you to Regula-
28 tion No. 14, sub-paragraph 3, which reads as follows:

29 "If the Supervisor believes on reasonable
30 grounds that the ability of a pilot or



English 1 apprentice who is about to go on duty
2 is impaired through the use of intoxi-
3 cating liquor or narcotic drugs he
4 shall forthwith remove the pilot's or
5 apprentice's name from the assignment
6 list, and make a full investigation into
7 the matter, and make a full report
8 thereof to the Authority."

9 Are you prepared to tell us how this particular
10 regulation is enforced, how the condition of the pilot
11 when he presents himself is checked?

12 A. We have not had occasion to enforce this.
13 We had a case last year of a pilot who was alleged to
14 have been in a state - but, of course, this was very fully
15 investigated, and was the cause of an inquiry, the results
16 of which have not yet been made to me. They were investi-
17 gated in the first instance by myself. This was not some-
18 body who was stopped from going on board, but somebody who
19 was reported to have been on board and on duty in an
20 intoxicated state, and this has not yet been settled.
21 This was last year.

22 Q. Captain, I am not suggesting that this
23 happens, or that I have a concrete case in mind at the
24 moment. I am just asking you how is the check made, if
25 any? Does the pilot present himself to somebody in
26 authority in the office before accepting his assignment?

27 A. No, he does not, sir. I am talking about
28 the Montreal area as such. In all probability he would go
29 directly to his ship. It is a little different in Three
30 Rivers, or Pointe des Ormes, where he would pass the



English 1 pilotage station to embark, but the physical requirements
2 are not such that he would have to pass the office if
3 assigned to a ship in the Montreal Harbour. An instance
4 of anything like that happening would most likely be a
5 report from a ship.

6 Q. So, to enforce this particular regulation,
7 you would expect a report from the ship master or whoever
8 is in charge?

9 A. As has been mentioned before, to be practical
10 that would be the only way we could do it, because we
11 couldn't go on every ship with the pilots. So we would
12 expect that in the first instance the report, if there
13 were a report, would come from the complainant. It would
14 come from the ship, yes.

15 Q. Would the same answer apply with respect to
16 the provision contained in paragraph 18, sub-section 2,
17 which reads:

18 "When at any time the Supervisor has reason
19 to believe that a pilot's fitness for duty
20 has become impaired by reason of defective
21 eyesight or hearing, or by reason of any
22 other physical or mental disability, he
23 may, with the approval of the Authority,
24 order the pilot to undergo an examination..."
25 and so forth?

3 26 A. No, the same provisions wouldn't apply,
27 because if a pilot's fitness for duty has become impaired
28 by reason of defective eyesight or hearing it certainly
29 wouldn't happen in a moment, and at any rate the provisions,
30 as you can read in the same Article, provide for that.



English 1 So, in view of these periodic examinations, this would
2 become apparent, or should become apparent, before it
3 became a matter of concern, whereas in the other case it
4 is not something that, if it happened at all, it is not
5 something that is happening gradually over the course of
6 time. The man is either drunk or sober, so to speak.

7 I am suggesting that the two cases aren't
8 parallel, and therefore the method of dealing with it, or
9 the method of finding out about it would be different.

10 Q. Now, Captain, coming back to earlier in my
11 examination, I mentioned three problems that had come up
12 before this Commission. The first one you have dealt
13 with, the dispute at St. Lambert. The second one you also
14 mentioned, the appointment of four additional pilots in
15 one district, which you said was handled by the Authority
16 in Ottawa, and I understand was refused.

17 The third problem that has come up that I have
18 noted is related to the decision of having two pilots on
19 board a dead ship, a dead ship being moved or towed. Was
20 the decision in that case one that emanated from your
21 office or from the Authority in Ottawa?

22 A. This, again, didn't happen in my time, and
23 I can't answer the question.

24 Q. Now, would you refer again to the bylaws of
25 the Montreal River District, and I direct your attention to
26 Section 6, which deals with the collection of pilotage
27 dues.

28 This Section, paragraph 1, says:

29 "Pilotage dues shall be paid to the

30 Authority, and subject to sub-section 2



English 1 shall be collected by the Supervisor."

2 I also direct your attention to Section 21, sub-

3 section 1:

4 "All monies received by and on behalf of

5 the Authority shall be deposited to the

6 credit of the Authority in a chartered

7 bank designated by the Authority in an

8 account to be known as the Montreal River

9 Pilotage Fund."

10 Then, sub-section 2, which says:

11 "After paying a certain amount to the

12 pension fund the balance shall be placed

13 to the credit of the United Montreal

14 Pilots."

15 Will you explain to me what is the working

16 procedure to effect this transfer?

17 A. I know that this is paid every two weeks,

18 but I suggest that you would get very detailed and accu-

19 rate information on the whole procedure from a practical

20 point of view as it is carried out by the accountant in

21 the Montreal office, who can furnish you with full

22 details and figures such as you require.

23 Q. Will the Supervisor be in a position to

24 explain to us how these funds are eventually turned over

25 to the Corporation?

26 A. Oh, yes.

27 MR. JACQUES: Excuse me. The accountant will

28 appear as a witness before the Commission.

29 Q. Now, on the same subject, I refer you to

30 sub-section 5 of the same Section, which states that at



English 1 the end of every month the Secretary-Treasurer of the
2 United Montreal Pilots shall forward to the Supervisor and
3 to the Authority a statement showing (a) all the monies
4 received from the Supervisor out of the Pilotage Fund;
5 (b) the distribution of such monies.

6 Now, what I would like to know from you is
7 whether these reports come to you to be examined, or
8 whether they are left in the hands of the Supervisor?

9 A. The Supervisor.

10 Q. You keep no watch on this aspect of the
11 administration?

12 A. As far as the pilotage dues are concerned,
13 and so on, the watch I keep is in the form of I receive
14 all the comparative reports and examine them, and also the
15 accounts, but this is just to keep myself informed. The
16 details would be supplied by the accountant. Every month
17 I get that from all the Districts, the unpaid accounts and
18 the accounts actually collected so far.

19 Q. Now, I direct your attention to Part III of
20 the same Montreal Pilotage Bylaws, Section 46, which in
21 this case says that all monies received by or on behalf of
22 the Authority for movages in Montreal Harbour shall be
23 deposited to the credit of the Authority in a chartered
24 bank in an account known as the Montreal Harbour Pilotage
25 Fund, and a subsequent section, which says:

26 "At the end of each month the Supervisor
27 shall compute the shares of the harbour
28 pilots in the Montreal Harbour Pilotage
29 Fund on the basis of time worked by each
30 pilot during the month and shall pay to



English 1 each pilot a sum equal to his share."

2 Does this operation come under your supervision?

3 A. Again, I would refer you to the Supervisor

4 on this question.

5 Q. I assume that the same answer will be given

6 to me in connection with the Cornwall District, where the

7 bylaws read the same as in the case of the harbour pilots

8 as well as the Quebec District; am I right?

9 A. That is correct.

10 Q. To pass to another subject, Captain ---

11 MR. LALONDE: Would you state clearly what is

12 in the Cornwall one? It is not exactly the same; Section 9.

13 It is similar but it is apparently not the same.

14 MR. BRISSET: I will quote Section 9 of the

15 Cornwall Pilotage District Bylaw, Captain, for you:

16 "The Authority shall pay to each pilot the

17 pilotage dues received for the pilotage

18 services performed by that pilot and the

19 Supervisor shall prescribe the method and

20 time of payment."

21 This is again a matter left to the Supervisor

22 and not under your supervision?

23 THE WITNESS: That is correct.

/PE/dpw 24 Q. You have explained to us, Captain, regarding

25 the pilots in the Montreal Pilotage District. You have

26 told us that there were in each of the two sections 18

27 "A" pilots?

28 A. That is correct.

29 Q. Who determines the number of "A" pilots in

30 each section?



English 1

A. All these matters are in consultation

2 between the Pilotage Authority and the Pilots' Committee
3 and this was done. There have been no requests for any
4 changes in the last year.

5 Q. This is also something which is not worked
6 out locally but between the pilots and the central autho-
7 rity?

8 A. No. It would be discussed, in the first
9 instance - it would be gone into locally but the recommen-
10 dation would then be made, if deemed necessary, to the
11 Authority to either increase or decrease, as the case may
12 be.

13 Q. If the decision were to increase or decrease
14 the pilots, simply, the recommendation would then be made
15 to the Pilotage Authority in Ottawa and they would take the
16 final decision; is that correct? The answer was "yes"?

17 A. Just a minute. According to the bylaws, it
18 says the Authority shall classify every pilot as a Grade
19 A, B or C pilot. I know of no regulation which would
20 prevent us from classifying more Grade A pilots if they
21 were deemed necessary, but we haven't had any requests.

22 Q. Captain, I want to go into the apprentices
23 and I am sorry if I ask other questions because there are
24 a few points that are not clear to me. You have told us
25 that you have a list of applicants to be admitted to
26 apprenticeship which contains at least 50 names or over?

27 A. Yes.

28 Q. At the moment?

29 A. That is correct.

30 Q. I take it you have a list also of applicants



English 1 that have been admitted to the apprenticeship or a list of
2 apprentices?

3 A. We have a list of pilots, apprentices and
4 applicants, yes.

5 Q. How many apprentices do you have in the
6 District of Montreal?

7 A. We have 25 apprentices.

8 Q. Would you refer to Exhibit 537. On the
9 second sheet you will see a list of names. The first part
10 is prefaced by the words "First Year" and then you have
11 12 names listed and then another list of names, prefaced
12 by the words "Second Year" and you have four names listed.
13 Finally, a list prefaced by the words "Third Year" and you
14 have eight names listed. Are these all the apprentices
15 that are now undergoing their apprenticeship in the
16 District of Montreal?

17 A. Yes.

18 Q. There are 24, in other words?

19 A. Yes.

20 Q. Now, apart from these names, are there
21 others that have completed their apprenticeship and are
22 waiting to be admitted to the Pilotage Service?

23 A. The apprenticeship is three years and the
24 list - just a minute, now. I am just thinking. There
25 were some who had completed their three years and who were
26 wanted and I think it was in June and then they were
27 admitted as temporary pilots. Now, I would have to look
28 at the records to see if any subsequently had completed
29 three years or not; but whether they had completed three
30 years or not, unless there was a vacancy or requirement for



English 1 a pilot, they would remain as apprentices. More detailed
2 information can be given. No doubt the Supervisor I have
3 here with me ---

4 Q. What I am driving at is this: apart from
5 this list of 24 names, are there other apprentices that
6 have completed their third year and are now on the roster
7 waiting to become licensed pilots?

8 A. No. This is the list of apprentices. I
9 think we have a list without the examination results.
10 They are in the possession of the Supervisor, who is in
11 court.

12 Q. In your list, Exhibit 524, which is a list
13 of pilots on strength in the Pilotage District of Montreal
14 as of February 14th, 1963, there is at the end a list of
15 names under the heading "Grade C Temporary Pilots." I
16 would take it that some, if not all, of these temporary
17 pilots are already included in your list of apprentices,
18 the 24 names that you have in the other exhibit. Am I
19 right?

20 A. I am just trying to find the exhibit.

21 Q. I am sorry, but I am asking this because I
22 haven't got that.

23 A. I have found Exhibit 524 but I regret I
24 have forgotten the question.

25 Q. Would you look at page 3 of that exhibit,
26 where you will find a list of names under the heading
27 "Grade C Temporary Pilots." Are the names to be found
28 there those of apprentices?

29 A. No. These are pilots.

30 Q. However, they are listed as "Temporary



English 1 Pilots" and, therefore, they are pilots waiting to obtain
2 their permanent licences, I take it?

3 A. I would like to look into this because we
4 have only - I am speaking from memory - before the
5 temporary pilots replace for sickness this year, so I
6 would like to look into the reason why this is marked
7 "Temporary Pilots."

8 MR. LALONDE: If I may, I think it might be
9 advisable to give a few explanations of this list here in
10 order to avoid any confusion. What is portrayed with
11 "Temporary Pilots" are effective pilots of Class C, C1,
12 C2 or C3 - that is, they have been active pilots for one,
13 two or three years, according to the case. However,
14 during the first year, the indication that you have there
15 is that he is not quite ready in the sense that while they
16 are in C1 during the first year, their licence is temporary
17 in the sense that it can be withdrawn and, in that sense,
18 Grade C temporary pilots here would be a little bit too
19 wide an interpretation. But they are effective or active
20 pilots.

21 In addition to this, the bylaws provide for what
22 are called "Temporary Pilots," which would be granted only
23 a temporary licence for a short time, for instance, in a
24 case where you have a lack of pilots in a district or
25 circumstances like that. So, you would have a different
26 notion of temporary pilots there.

27 THE CHAIRMAN: Using other words, the last class
28 would be "Pilots ad hoc"?

29 MR. LALONDE: Exactly. And these Grade C
30 temporary pilots here would not be apprentices. They



English 1 would be active pilots all year round, if I may say so.

2 MR. BRISSET: Thank you, Mr. Lalonde.

3 Q. Captain, will you tell us very briefly what
4 is the procedure followed to have an apprentice who has
2 5 completed his apprenticeship examined for his pilot's
6 licence. How is that brought about?

7 A. How is he examined?

8 Q. Yes. How is the date of his examination set,
9 for instance? Do they do that periodically or simply when
10 there is a vacancy?

11 A. We only examine for a pilot's licence to
12 meet anticipated needs and they have to have their three
13 years and they have to pass an examination. They would
14 not be called on to be examined if there was no need or
15 prospective need of a pilot or a temporary pilot.

16 Q. Would you tell us who were the members of
17 the Examining Board last year for this purpose in the
18 Montreal District?

19 A. For examination from apprentice to pilot?

20 Q. From apprentice to pilot.

21 A. The members of the Board of Examiners and
22 I have the candidates as well, were as follows, on May 8th
23 of this year: (Reads)

24 Q. Am I correct in understanding that the
25 three pilots whose names appear there on the Examining
26 Board are officers of the Corporation of the Montreal
27 District, the Mid-St. Lawrence Pilots?

28 A. Well, now, the President is. As I under-
29 stand, they are obligated to these duties and they form
30 the Board of Examiners.



English 1 Q. Were they the same last year, during your
2 term of office?

3 A. No. The Board of Examiners is not the same
4 members at the very beginning of my term of office last
5 year. There have been some changes.

6 Q. Can you tell us who are the members of the
7 Board of Examiners in the Cornwall District? I am speaking
8 of the pilots.

9 A. We do not have a Board of Examiners for
10 examination of apprentices in the Cornwall District. We
11 do not have apprentices for the Cornwall District.

12 Q. Do you have a similar apprenticeship system
13 in the District of Quebec?

14 A. Yes, we do.

15 Q. Who are the members of the Board of
16 Examiners there?

17 A. I couldn't give you the names at the moment.
18 I will have to look them up from records because I was not
19 expecting any questions on the Quebec District.

20 Q. Yes. We may be out of context there.

21 A. I beg your pardon?

22 Q. I agree with you. We were not to cover
23 Quebec, I understand. You are quite right.

24 A. Thank you.

25 Q. Now, Captain, have you been made aware that
26 shipowners have made representations asking to be allowed
27 to sit on the Board of Examiners for apprentices?

28 A. No. I have never had any knowledge of such
29 a request and I have no knowledge and never have had.

30 Q. If I might ask your personal opinion, would



English 1 you be in favour of having shipowners represented on this
2 Board?

3 A. I think that I would not be in favour.

4 Q. Would you give me your reason?

5 A. I think that you are asking me questions
6 which would require much more consideration to give you a
7 reasoned answer than I could be expected to give at a
8 moment's notice and I have given you merely an immediate
9 reply. It does not indicate that I have ever had, in the
10 past or in the present, yet considered it and I think any-
11 thing I might say at this moment, without proper considera-
12 tion, would surely be misleading.

13 Q. Then I won't press you, Captain. All I can
14 perhaps say is that you are following the directives of
15 higher authority, aren't you?

16 A. I am following no directions of any kind,
17 I assure you. The only directives that I have received
18 from the Authority, as regards this inquiry, is to answer
19 any question to the best of my ability and to give the
20 facts and, so, I could not give you a reasoned answer on
21 that and I certainly have had no directive other than that
22 which I have just mentioned.

23 MR. BRISSET: I am changing the subject now, my
24 lord. I do not have too many questions, but I am changing
25 the subject.

26 THE CHAIRMAN: Would there be any other questions
27 to be asked of the witness?

28 MR. LALONDE: I could say that I will be three
29 minutes, my lord, but that means about 20 minutes.

30 THE CHAIRMAN: Mr. Langlois?



English 1

MR. LANGLOIS: A few also, my lord.

2

THE CHAIRMAN: Then we will adjourn now until

3

10 o'clock tomorrow morning.

4

5

6

--- Whereupon the hearing adjourned at 5.00 p.m. until
10 a.m., July 10th, 1963.

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ROYAL COMMISSION

ON

PILOTAGE

HEARINGS

HELD AT

MONTREAL

QUEBEC

VOLUME No.:

46 A

DATE:

July 10, 1963

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ROYAL COMMISSION ON MARINE PILOTAGE

Proceedings of the hearing
held at the Court House,
Montreal, Quebec, on the
10th day of July, 1963.

COMMISSION:

The Honourable Mr. Justice Bernier	Chairman
Robert K. Smith, Esq., Q.C.	Member
Harold A. Renwick, Esq.	Member
Mr. Gilbert Nadeau	Secretary

COMMISSION COUNSEL:

Mr. Maurice Jacques	
Mr. Leopold Langlois, Q.C.	for the Canadian Merchant Service Guild

PRESENT:

Mr. J. Brisset	for the Shipping Federation of Canada
Mr. J.M. Jacques	for the National Harbours Board
Mr. J. Mahoney) Mr. C. Mason)	for the Dominion Marine Association
Mr. Marc Lalonde	for the Federation of St. Lawrence River Pilots; Corporation of the Lower St. Lawrence Pilots; the Corporation of the Mid-St. Lawrence Pilots; the Cor- poration of the Montreal Harbour Pilots; the Corporation of the St. Lawrence River and Seaway Pilots; the Corporation of the Upper St. Lawrence Pilots
Captain J.S. Scott	Technical Advisor to the Commission
Captain F.S. Slocombe	for the Department of Trans- port and liaison officer



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English 1

Montreal, Quebec,
Wednesday,
10th July, 1963.

2

/AG/dpw 3

--- On commencing at 10:00 a.m.

4

5

WILFRED ANTHONY WILLIAM CATINUS,
recalled and sworn

6

CROSS-EXAMINATION BY MR. BRISSET (continued):

7

Q. Captain, on the subject of apprentices, if
you were to have a vacancy in the Harbour of Montreal
amongst the pilots there, where would you obtain your
pilotage material? Would it be from a pool of apprentices
in the District, or elsewhere?

12

A. Are you referring to harbour pilots?

13

Q. Yes.

14

A. No, it wouldn't be from the pool of
apprentices. We would look at our list of applicants.
The regulations and requirements aren't the same for the
harbour pilots as for the river pilots.

18

Q. Is there an apprenticeship system for the
harbour pilots?

20

A. No, there isn't.

21

Q. Now, Captain, I want to go back to the case
of one vessel, the "Carima," which was delayed in Lock
No. 1.

24

You mentioned to us that she was delayed 30
minutes because of lack of pilots, but as there was fog
at the time the ship would have been delayed in any event.

27

Will you tell me whether it is the practice when
fog conditions exist to nevertheless send a pilot to the
ship, or is it the practice to wait until the fog has

28

29

30



English 1 lifted?

2 A. No, it is not the practice. The pilot
3 should have been there.

4 Q. So, even if there is fog the pilot would
5 be sent and would board the ship and would await good
6 conditions?

7 A. That is correct.

8 Q. Now, to turn to the subject of various
9 complaints that have been reported to you, I would like
10 to take up one; namely, problems or disputes that have
11 arisen regarding the use of tugs.

12 You have mentioned that in cases reported to you
13 the pilots have wanted a tug, while the agents have given
14 no orders for tugs.

15 In such cases, assuming that the ship is in the
16 Harbour of Montreal, undocking, for instance, would you
17 refer the matter to the National Harbours Board, or would
18 the problem, or dispute, be decided by you?

19 A. It certainly would not be decided by the
20 National Harbours Board. The only occasion in which I was
21 personally concerned, the pilot advised, or strongly
22 recommended, the use of tugs, and this was discussed with
23 the agent of this particular ship. I pointed out that the
24 pilot's duties consisted essentially in giving advice, and
25 if it was his advice that on this particular occasion a
26 tug was required, certainly the master would do well to
27 take that advice.

28 Q. You are aware that under the National
29 Harbours Board regulations the National Harbours Board
30 harbourmaster may order the ship to take tugs if the



English 1 National Harbours Board or the harbourmaster consider it
2 necessary, and my question is whether, in cases of this
3 nature, the decision should not be left to the harbour-
4 master, but to the pilot and the master of the ship?

5 A. I would have to look this regulation up,
6 but I believe it is intended to cover ships which the
7 harbourmaster requires to be moved, but I think it should
8 be up to the pilot and the master of the ship.

9 Q. Let's now take the case of a ship entering
10 Lock No. 1 at St. Lambert, or leaving Lock No. 1. If the
11 matter of the use of a tug becomes a matter of importance,
12 would you agree that the final responsibility, or the
13 decision, should be left to the Seaway Authority, seeing
14 that their installations are involved, and so forth?

15 A. I can't quite say that I completely follow
16 your question. Would you clarify it for me, please?

17 Q. Would you think that in a case where there
18 is a question as to whether tugs should be used to take a
19 ship out of Lock No. 1, or take a ship into Lock No. 1,
20 the Seaway Authority should be the body or agency which
21 would be authorized to take the final decision?

22 A. I believe the Seaway have their own regula-
23 tions covering their authority to order tugs when they
24 consider it necessary.

25 In the event of accidents, I recall in my personal
26 experience it having happened in the Welland Canal - that
27 is not my District - but the Seaway authorities deemed it
28 necessary to order a tug for a ship which was involved in
29 an accident, and I was told at that time that they had the
30 authority to do that. This is my experience, but not in



English 1 this particular District. However, the Seaway Authority
2 ordered a tug in this case, and they gave me to understand
3 that they had full authority to do so. I don't know who
4 paid for the tug.

5 Q. Now, Captain, you have referred to the
6 decision which was communicated to you by Shell Tankers
7 of having large tankers proceed in the channel with a
8 clearance of $2\frac{1}{2}$ feet under their keel, and I recall that
9 you were asked to consult with the pilots and obtain their
10 reports on whether these ships could be safely navigated.

11 Have you had any report at all from any pilot
12 of difficulties having been encountered with these tankers?

13 A. The letter from Shell Tankers was not
14 communicated to me. Only a copy was sent to me, but in
15 the spirit of your question it is the same. The only
16 correspondence I have had was two letters on the subject from
17 the pilots. Other than that, I have heard nothing.

18 Q. You have had no reports from pilots as to
19 difficulties?

20 A. I have had no reports.

21 Q. So you have no record of accidents to any
22 of these large tankers since this practice was put into
23 effect?

24 A. I have no record of any accidents, that is
25 correct.

26 Q. Now, another question which was taken up
27 during the course of your evidence was cases where the
28 services of pilots had been terminated by the master of a
29 ship after either the pilot had been on board for some
30 time, or when he presented himself, and I understand that



English 1 you were to investigate two incidents, involving the
2 "Thors Carrier" and the vessel "Sterno" over the weekend.
3 Have you been able to do so?

4 A. That is not my understanding, but I believe
5 from what the Supervisor tells me there have been two
6 recent cases within the last few days. These are the
7 first instances that have happened of pilots' services
8 being refused.

9 Q. Will the Supervisor be in a position to
10 give us the facts?

11 A. Yes.

12 Q. Now, Captain, would you take before you the
13 list of casualties in the District of Montreal, Exhibit No.
14 535. I refer you particularly to the year 1962. I just
15 want to restrict myself to the year 1962, as you were in
16 office at the time, and I refer you to the bottom of the
17 list of November 30th, "Panaghtos" grounded in fog, and
18 also to the other entry, December 1st, which happens to be
19 above the one I just quoted, the "Griffin" grounded, poor
20 visibility.

21 Would you agree that this is a proper description
22 of the cause of the casualty, in fog and poor visibility?

23 A. These particular casualties were investi-
24 gated, and to the best of my recollection they were investi-
25 gated, in fact, by Captain Gendron, and I don't have any
26 record of his findings. He was acting as Investigator of
27 Wrecks.

2 28 Q. Do you agree that fog as a cause of an
29 accident should certainly not be considered as a satis-
30 factory explanation in the case of, say, a grounding, as



English 1 this is a condition as I understand it quite often encoun-
2 tered in the river?

3 A. This is merely a mist. I didn't draw this
4 list up. It didn't come from my office, and the reason
5 for its brevity, I assume, is in order to put in a certain
6 form, but I am quite sure the report would not end with the
7 two words in fog.

8 Q. Would you look at it in the same manner in
9 other cases, where the cause in case of a grounding or a
10 collision is given as meeting, or overtaking, which I
11 would take are frequent occurrences in the river, too?

12 A. I don't feel that I can, in any way,
13 comment on this list, but certainly meeting, or overtaking,
14 would not be regarded, in my opinion, as reasonable
15 grounds for excusing an accident, but I have not got the
16 actual reports, but I am sure that in the actual reports
17 they would not have just those words.

18 MR. BRISSET: Thank you, Captain.
19

French 20 CROSS-EXAMINATION BY MR. LALONDE:

21 Q. You have mentioned the fact that ships
22 going up the river to Montreal were equipped with radio
23 telephone.

24 Are you in a position at the same time to state
25 this fact concerning the crystal which is found on these
26 radio telephones? Do they have the appropriate crystal
27 for the St. Lawrence River?

28 A. East of Montreal, I don't know. I couldn't
29 tell you.

30 Q. You would be in a position to state that



French 1 most ships have radio telephones on board, but you
2 couldn't state whether these radio telephones are properly
3 equipped for the St. Lawrence River?

4 A. That is correct.

5 THE CHAIRMAN: Do you mean their frequency, the
6 wavelength?

7 MR. LALONDE: Yes, my lord.

8 THE CHAIRMAN: Frequency, to be exact?

9 MR. LALONDE: Yes, my lord.

10 Q. In a question asked you by my learned
11 friends, Mr. Brisset and Mr. Mahoney, it has been alleged
12 that the change of pilot at Snell Lock would be done at
13 that place for the convenience of pilots.

14 Are you in a position to state if this change of
15 pilot at that place is done to give convenience to the
16 pilots, or to the ships, or if you don't know ---

17 A. I am not in a position to answer this
18 question.

19 Q. In the questions put to you by my learned
20 friend, Mr. Mahoney, it has been mentioned that pilots
21 disembarking at the Canadian-American border near St.
22 Regis would be left necessarily on the St. Regis Island.
23 I am asking you to look at map entitled Lancaster Bar to
24 Cornwall Island, No. 1413, published by the Canadian
25 Hydrographic Services, and please tell me if the change of
26 pilots at the Canadian-American border near St. Regis
27 would imply necessarily that the pilots should disembark at
28 St. Regis Island, or if after examination of this map,
29 pilots could be disembarked on the mainland?

30 A. With a service, yes.



French 1 Q. Of course, not by swimming?

2 A. Everything is possible, of course.

3 Q. The question is to know whether they should

4 disembark at St. Regis Island, or is there a way of

5 bringing them over to the mainland, either at Cornwall,

6 St. Regis, or in the Province of Quebec, just by looking

7 at the map?

8 A. It is not necessarily at St. Regis, but it

9 depends upon the service that is to be provided.

10 THE CHAIRMAN: In other words, we need a pilot

11 boat at that place?

12 MR. LALONDE: Whether they disembark at St. Regis

13 or at the Town of Cornwall, in all cases we would need a

14 pilot boat, but at the present time they disembark at the

15 lock, therefore they do not need a pilot boat. Thank you.

16 CROSS-EXAMINATION BY MR. LANGLOIS:

17 Q. Captain Catinus, still on this question of

18 supposed convenience for pilots to disembark at Snell

19 Lock, in fact who brings ships in to the Snell Lock? Is

20 it the captain or the pilot?

21 A. I have no personal knowledge, because I

22 wasn't there with them, but it seems to me that it would

23 be the pilots. It would be better to ask this question of

24 the Seaway pilots.

25 Q. But, to your knowledge, it is the pilot

26 who brings the ship in to the lock, or takes her out?

27 Is this not a question of convenience for the ship?

28 A. Certainly.

29 Q. Now, if a ship should drop off the pilot

30 around St. Regis, wouldn't that cause delay to the ship?

A. Not if the service is well-organized. The



French 1 ships stop at other places to change pilots; at Quebec,
2 for instance. Some of them don't actually stop. They go
3 slowly so that the pilot may disembark. That causes a
4 delay, of course, to the ship.

5 Q. Therefore, it is an advantage to the ship
6 not to delay themselves by disembarking a pilot at a
7 place where they don't really have to stop, and to disem-
8 bark pilots at Snell Lock, where they have to stop, anyway?

9 A. Yes.

10 Q. Also, if there were a pilot boat there would
11 be expenses for the ship concerning the embarkation and
12 disembarkation of pilots?

13 A. Yes.

14 Q. Since the American authorities in this
15 coast, the Coast Guard, require a pilot's report concerning
16 all instances in American waters, does not this imply that
17 the pilot is recognized as the person in charge of the
18 ship?

19 THE CHAIRMAN: Before answering this question,
20 is it really what has been said, that the American authori-
21 ties require a report made by pilots in American waters?

22 MR. LANGLOIS: Yes, this is what has been said.
23 There was a case where the Coast Guard asked for a report.

24 THE CHAIRMAN: It was said that the pink slip
25 was sent in all cases, and was sent only for records.

26 Q. In the case of an accident in American
27 waters, do the Coast Guard require a report?

28 A. I have no personal knowledge of what goes
29 on in American waters. That is to say requests made by
30 the American authorities. This is not in my District.



French 1 THE CHAIRMAN: This is an important question,
2 because can the American authorities ask the pilots for a
3 report?

4 MR. LANGLOIS: Well, my lord, whether they can
5 or not I don't know, but they do it.

6 THE CHAIRMAN: Then we will have to get evidence
7 on that.

8 Q. Now, leaving aside this question of your
9 District, there is one question I should have asked you
10 yesterday when I was questioning you. This is concerning
11 pilot boats at Les Escoumains. Can you tell us if these
12 pilot boats at Les Escoumains are also used for search
13 and rescue services?

14 A. This is a rather difficult question. I
15 think that not exactly according to the law, but I think
16 that the authorities can use any kind of ship or boat
17 belonging to the Government for search or rescue if neces-
18 sary.

19 Q. But has this happened?

20 A. Not to my knowledge.

21 Q. Now, are these same pilot boats equipped
22 with supplies, emergency rations?

23 A. No.

24

25 BY MR. JACQUES:

26 Q. I don't have the intention of asking any
27 other questions today, my lord, except that I have several
28 questions to ask later on, and I have asked the witness
29 to prepare certain things so that when we come back to
30 Montreal I shall ask some questions.



French 1 A. You asked me two or three questions the
2 other day. I have not got all the answers, but some of
3 them are here.

4 MR. JACQUES: The witness has already prepared
5 some answers to these questions which have been posed.

6 Q. Did you prepare an answer to the question
7 on the "Brigit Ragne"?

3 8 A. The pilot was ordered for 1550 at St.
9 Catherine's Lock, and the order was made at 1535.

10 Q. You received the order at St. Lambert at
11 1535?

12 A. Yes.

13 Q. And you were told to send this pilot so
14 that he might arrive for 1550?

15 A. Yes.

16 Q. So he had 15 minutes to go where he was
17 supposed to go?

18 A. The second question you asked me was
19 concerning Winnipeg ---

20 Q. The pilot was ordered at 1:55 for 3:10 in
21 the morning, and I asked you to discover when the pilot
22 finished his last pilotage.

23 A. For Winnipeg 1945 on the 13th.

24 Q. So the pilot had as a period for rest
25 between trips between 1945 and 1:50 in the morning?

26 A. That is correct. Concerning the "Theodora,"
27 I could explain that at that time we received the informa-
28 tion each time a ship went by Beauharnois Lock. Here is
PE/dpw 29 a report. I found the message indicates, as always, that
30 the ship was going through the lock. This was given to us,



French 1 but, at the same time, as always, we were expecting to
2 receive a 'phone call from Cote St. Catherine to indicate
3 the time of arrival at St. Lambert Lock and I checked in
4 the book which I have with me and we haven't received that
5 order, except when the ship was already in the lock.

6 Q. In the St. Lambert Lock?

7 A. Yes. This is a book in which we have
8 written the order of this ship. We write "Ship's name -
9 'Theodora'; from Seaway to River, at 0635."

10 Q. What time is 0635?

11 A. That is 6.35 a.m., and we have received
12 this from St. Lambert Lock. And then "Ordered at once."
13 That means that we have received the order when the ship
14 was there and the pilot was needed right away. For the
15 other questions about despatching, I refer you to the
16 Chief Despatcher.

17 Q. This book is printed only in English?

18 A. Yes, this is exact.

19 Q. Now, to go back to the message which you
20 have received about the "Theodora": "Downbound out of
21 Lock 4 at 0041, October, 1962. Request river pilot at
22 St. Lambert Lock," and following this text, I see the
23 letters "B.H.N. 0054 L.P." What does that mean?

24 A. That means Beauharnois and the time when
25 the message was sent.

26 Q. And the time when the message was sent?

27 A. Yes.

28 Q. So the message was sent on the 15th at 54
29 minutes past midnight in the morning, from Ottawa?

30 A. Yes, this is right.



French 1 Q. And it was sent 13 minutes after the ship
2 left the lock?

3 A. Yes, this is exact.

4 Q. Because it was 41 minutes after midnight,
5 so you could not transmit the order at 6.35 a.m.?

6 A. No. This indicates only that this ship has
7 left the lock at the hour which is indicated there and
8 that when this ship would arrive at the St. Lambert Lock
9 it would need a river pilot. As I explained to you, after
10 that, when this ship entered the St. Catherine Lock, we
11 received a 'phone call telling us, or telling the despat-
12 cher, more exactly the time of arrival at St. Lambert Lock
13 and it is for that time that the pilot would be needed.

14 Q. And in the case of the "Theodora," you have
15 not received that 'phone call from St. Catherine?

16 A. Instead of that, we have received a 'phone
17 call from St. Lambert Lock when the ship had arrived there.

18 Q. Now, with the information which you had
19 when this ship was at Lock No. 4, could you have estimated
20 its time of arrival at St. Lambert Lock?

21 A. I remember that once I was told that the
22 authorities had received a letter saying that the captains
23 of the ships themselves could not change the time of
24 arrival. At that time, I asked that the time of arrival
25 be transmitted by radio. This is not possible because it
26 is too far and this is why we have asked for this arrange-
27 ment of a 'phone call from St. Catherine Lock.

28 MR. JACQUES: If it please the Commission, I
29 would like to file as Exhibit No. 545 an extract of the
30 register of the teleprinter of Montreal concerning the



French 1 "Theodora."

2 THE CHAIRMAN: Not from the register, but from
3 the records?

4 MR. JACQUES: Yes, from the files of the tele-
5 printer.

6 THE WITNESS: That is all, except that as far as
7 the apprentices are concerned and the duration of appren-
8 ticeship, the Supervisor has brought the details with him
9 today.

10

11 --- EXHIBIT NO. 545: Extract of teleprinter records
12 concerning the "Theodora."

13

14

MR. JACQUES: That is all, Captain. Thank you.

15

16

FERNAND MONARQUE, recalled and sworn

17

RE-DIRECT EXAMINATION BY MR. JACQUES:

18

Q. Mr. Monarque, for the record, could you
19 once more give your Christian name and function?

20

A. Fernand Monarque, 40 years old, Chief,
21 Signals Service. My functions are supervising of signals
22 services themselves. I am responsible for the personnel
23 of the Signal and Pilotage Services, Montreal, Cap St.
24 Michel Three Rivers, and I share the responsibilities of
25 administration with Mr. Melanson, who is the District
26 Supervisor.

27

Q. Now, in your capacity of Supervisor of the
28 Signals Service, do you remember that we discussed
29 messages which are given by pilots concerning navigational
30 aids which have failures and you have said that these



French 1 messages you receive at the pilotage station in Montreal,
2 which covers, if I understand properly, the entire river
3 down from Montreal, and you are connected with the trans-
4 mission up to the lock. Are you the central station for
5 this region?

6 A. Yes. All these messages are centralized at
7 the office.

8 Q. Now, if a pilot from the District of
9 Quebec reports that a light has a failure and he reports
10 that to the office of his supervisor or at the office of
11 Les Escoumains, what happens then?

12 A. My jurisdiction only goes from Cap Vincent
13 and as far as Quebec, inclusive. If this light is below
14 Quebec, then it is the Quebec signals station which will
15 look after it.

16 Q. Let us take the case of a light between
17 Quebec and Montreal, upstream of Quebec, and the failure
18 could be reported either to the Three Rivers or to the
19 Sorel office or reported directly to you - is this right?

20 A. Yes. But the normal procedure is that these
21 messages must be reported here in Montreal and afterwards
22 we transmit it to whoever is concerned, for repairs.

23 Q. Now, I think that these messages include
24 two different aspects. First, a notice to other naviga-
25 tors of the fact that there is a failure to that light and,
26 second, a notice to those who are responsible for the
27 maintenance of that light that there is a failure of that
28 light and that they should take the necessary steps to
29 repair it?

30 A. Right.



French 1 Q. Now, let us take the first aspect, which is
2 the notice to navigators - notice to seamen.

3 A. Excuse me. I would like here to draw your
4 attention to the instructions concerning the operation of
2 5 the two circuits of teleprinters. Those instructions
6 have been given to us by the telecommunications. You
7 will see a little further down I have indicated - you see
8 here, the articles which are indicated by pencil, that
9 this is clearly the responsibility of the Montreal Signals
10 Service concerning the message which we have been talking
11 about.

12 MR. JACQUES: If it please the Commission, I
13 would like to produce as Exhibit No. 546 a document which
14 is called "Operating Instructions for Marine Services
15 Circuits 999, 998 and 997, Effective Date April 15th,
16 1963."

17
18 --- EXHIBIT NO. 546: Document entitled "Operating
19 Instructions for Marine Services
20 Circuits 999, 998 and 997, Effective Date April 15th, 1963."

21 Q. Mr. Monarque, can you get for us a copy of
22 these instructions?

23 A. With pleasure.

24 MR. JACQUES: Until such time as this copy will
25 be furnished to us, your lordship, I would like to read
26 some extracts of this document which deals with the
27 subject matter under discussion.

28 First, I am referring to Article 2.1.9.1, which
29 is called "Broadcast of Navigational Information." Do you
30



French 1 have a French text of these instructions?

2 THE WITNESS: I do not think so.

3 MR. JACQUES: Consequently, I shall read them
4 in English and I quote:

5 "A master navigating the River St. Lawrence
6 between Quebec and Montreal, or the Seaway
7 between Montreal and Kingston, must report
8 by radio any condition encountered or any
9 event which would be of navigational
10 interest to other ships navigating the
11 river or the Seaway. For example: lowered
12 visibility, log booms, or other hazards or
13 obstructions in the channel, a vessel
14 aground, et cetera. Such messages will be
15 addressed to Signal Services, Montreal and
16 when received at any station on circuits
17 999 and 998 shall be passed to all stations
18 on the circuit."

19 I pause here for a second, Mr. Monarque. When
20 a message is transmitted to your station, you re-transmit
21 it immediately?

22 THE WITNESS: Well, it all depends on the urgency
23 of the message.

24 Q. Who judges the urgency of the message?

25 A. Well, generally the clerks who are in
26 charge.

27 Q. Do these clerks have instructions on how to
28 appreciate the urgency of such a message?

29 A. Well, I am talking about urgency, I would
30 take, for instance, a report about fog which will have



French 1 taken place at a given place - let us say between the
2 intervals of our routine broadcast which we make every
3 hour and our clerks have sufficient training so that
4 automatically they would send right away a special broad-
5 cast to ships telling them that there is fog at a certain
6 place.

7 Q. Do you have written regulations concerning
8 the determination of urgency, this aspect of your work?

9 A. No, I do not think so. This is a custom.

10 Q. Can I conclude that this is more a tradi-
11 tion of the service?

12 A. As I was going to mention, this is a custom
13 that has been established. You see, this service has been
14 established when we were under the jurisdiction of the
15 St. Lawrence River Channel and at that time the procedure
16 which I mentioned has been established, after studying and
17 discussing these questions between the Chief Engineer at
18 that time and the Chief Clerk of Signals at that time, Mr.
19 Heroux.

20 Q. Now, this information which you receive -
21 how do you receive it?

22 A. All the way through our teleprinter circuits.
23 I mean that the ship transmits this to the broadcast
24 station in the region where he is and after that the
25 broadcasting stations relay this information to the Montreal
26 office.

27 Q. How is this information re-transmitted to
28 you?

29 A. I have here several extracts which could
30 illustrate how.



French 1 Q. Excuse me. The captain of the ship or the
2 pilot sends this message by radio to the radio station.
3 The radio station transmits this to you. Now, does this
4 radio station transmit this to you by teleprinter and by
5 telephone?

6 A. No. Everything is always done by tele-
7 printer.

8 Q. So from the broadcast station to your
9 office it is also by teleprinter?

10 A. No, as I mentioned last Friday, we will
11 have some cases when a pilot will report ---

12 Q. Well, we haven't reached that point yet.

13 A. All right.

14 Q. So the teleprinter circuit between the
15 broadcast station and your office, is it closed or is it
16 connected with other stations on the circuit?

17 A. You see, our service operates in the
18 following manner - I mean the service of teleprinters:
19 any station which wants to use the circuit turns that key
20 and when this key comes back to its normal position, all
21 the stations are automatically connected on the circuit.
22 Therefore, the station which has a message to transmit
23 will print certain calls, which are coded, to his station,
24 and when the station wants its message not to be trans-
25 mitted to the other stations which are on the circuit,
26 then you eliminate those stations by striking on the
27 space bar and in this way the message will be received
28 only by those stations which are directly interested in
29 the message, or by the stations to which the station wants
30 to send it.



French 1 Q. So it is the one who transmits the message
2 who selects who is going to receive it?

3 A. Yes.

4 Q. So you have this information; you transmit
5 this to all the stations on circuits 999 and 998?

6 A. Yes.

7 Q. Now, the first aspect is the question of
8 safety. You must advise the users of the river that there
9 is a navigational aid which has had a failure. Now, how
10 do you transmit this information to the one who is respon-
11 sible for the maintenance of the navigational aid?

12 A. As you know, the office of the Maritime
13 Agent is in Sorel.

14 Q. Yes.

15 A. And as we have an observation and signal
16 station in Sorel, we transmit this message by teleprinter
17 to the Sorel station which afterwards, by 'phone, is
18 transmitted to the Marine Agent in Sorel.

19 Q. Now, by reading your own messages, is it
20 possible to see if the information has been transmitted to
21 the Sorel station?

22 A. Not by reading the messages which I was
23 going to show you. For that it would have been necessary
24 for me to bring some complete rolls of teleprinter. But
25 personally I know that this is being done all the time.
26 As I mentioned last Friday, there has been no case which
27 could have happened where our clerk on duty would have
28 forgotten to transmit the message to the Sorel station
29 for re-transmission afterwards to the Marine Agent because
30 this is done automatically. Our clerks are so trained



French 1 that they are always doing it.

2 Q. Do you have complaints that this has been
3 forgotten?

4 A. No. I repeat my answer of last Friday -
5 never.

6 Q. You never have any complaints?

7 A. Never.

8 Q. Do you still control this information when
9 it is transmitted by teleprinter to Sorel? What happens?
10 Let us say that the lighthouse of such a place has been
3 11 reported to you as having a breakdown; this message has
12 been transmitted to you by the pilot. It goes through the
13 entire circuit and you make sure that this message is
14 transmitted to your Sorel station through teleprinters,
15 to the place where the Marine Agent is.

16 Now, when this message has arrived on the tele-
17 printer, what happens to it?

18 A. As I mentioned, the clerk who is on duty
19 transmits this message to the Marine Agent in Sorel, by
20 telephone, or to someone who is responsible, if it is out-
21 side the normal working hours.

22 Q. Now, did you have any complaints to the
23 effect that your employee in Sorel would have forgotten
24 to transmit some messages to the Marine Agent's office?

25 A. No, never.

26 Q. Did you have any complaints that your
27 employee in Sorel would have delayed the transmission of
28 some message?

29 A. No. This is not probable.

30 Q. Did you have any complaints?



French 1 A. Never, never.

2 Q. Did you have any complaints from the Sorel
3 Marine Agent to the effect that he was not receiving the
4 information?

5 A. No. But we have had complaints in 1961.
6 This was not due to the fact that he was not receiving
7 the information; it was due to the fact that he was not
8 receiving properly the information which was given to us.

9 Q. Could you explain this to us?

10 A. The complaints were dealing with the fact
11 that very often the messages were not properly transmitted
12 to him as far as the exact place where the buoys which had
13 a breakdown.

14 Q. What do you mean?

15 A. Either from the ship or the pilot.

16 Q. In which way were they badly transmitted?

17 A. We would receive, for example, a buoy
18 number so-and-so, the light is not working. So, we would
19 re-transmit this message just as we received it to the
20 Sorel Marine Agent and the Marine Agent the same day, or
21 the day after, would send a ship to verify it and they
22 came back and they said that the buoy was working properly
23 at the proper place.

24 Q. Now, let us be precise. How do you know
25 this?

26 A. Because this fact has been personally
27 communicated to me by Mr. Noel Paquette and personally
28 also by Captain Marchand, because Captain Marchand, when
29 he was near the buoy just mentioned, verified this on the
30 spot to see if he could do something.



French 1 Q. This is even more hearsay than before.

2 Now, have you received written complaints?

3 A. Never, no. This took place upon the occa-
4 sion of one of my visits in Sorel and during a meeting
5 which I had personally with Captain Marchand, during the
6 Convention of the employees of the Service in Three Rivers,
7 during the winter of 1961 - I would say in the beginning
8 of February - and Captain Marchand spoke to the entire
9 meeting about this question.

10 Q. Did you yourself conduct an investigation
11 of these complaints?

12 A. No, not an investigation because I saw
13 myself that they were true.

14 Q. What do you mean?

15 A. Well, I wouldn't want the entire blame to
16 be put on the pilots because I will give you other
17 examples indicating the lack of information that there
18 was. The pilots would report, for instance, the light of
19 the barn at Trois Pigeons is out of order.

20 Q. Now, how can you localize such a buoy?
21 Have you seen those reports yourself?

22 A. Yes. I know that I am under oath and I
23 can say that I have seen the reports myself; or they would
24 say the buoy in front of the old church is out of order
25 or has been displaced. It is almost impossible for the
26 clerk on duty to localize exactly such a buoy.

27 Q. What did you do in such a case?

28 A. If we can get in touch with the pilot, we
29 would ask him where that buoy was located because the
30 pilot at that time did not know the number of the buoy.



French 1 Well, by looking on the chart we finally localize a buoy
2 which was pretty close to the position which had been
3 given to us and at that time we reported it as such to the
4 Marine Agent. Now, when we could not get in touch with
5 the pilot, we transmitted the message to the Marine Agent.

6 Q. Now, I am informed that since a year, I
7 think, you asked the pilots who report breakdowns or
8 failures in navigational aids to give their name; is this
9 correct?

10 A. Well, it is following the meetings which I
11 had with Mr. Paquette and Captain Marchand. I think that
12 our District Supervisor has been made aware of it also.
13 It had been decided that all the pilots should mention
14 their name when they send a message.

15 Q. Why?

16 A. So that if the message was reporting a buoy
17 which was difficult to localize, this way the Marine Agent
18 could get in touch with the pilot.

19 Q. Do the pilots regularly mention their name?

20 A. I must say, to the credit of the pilots,
21 that since the beginning of the season in 1962 we do not
22 have to regret any case of wrong information as far as
23 localization of buoys or lights, or what-have-you.

/AG/dpw 24 Q. Thank you. Now, has it happened that
25 your employee in Sorel would have complained about the
26 fact that he couldn't get in touch either with the
27 Regional Agent or with his assistant, or somebody from
28 his staff, to give him a message?

29 A. No. I will explain why.

30 Q. You have received no complaints about that?



French 1 A. No, never. Our clerks can always get in
2 touch with someone. Sorel is a small place, and everybody
3 sees everybody else almost every day, and if Mr. Paquette
4 is not available he can contact his assistant or the
5 engineer or someone.

6 Q. Have you ever been told that your clerk has
7 not been able to get in touch with the agent of the
8 Department of Transport in Sorel or anywhere else?

9 A. Not since I have taken over as Chief Clerk.

10 Q. Now, I go on and I read the extracts, your
11 lordship. Paragraph 2.2.1.9.2, under the same heading, and
12 I quote:

13 "Signal Service Montreal will be responsible
14 for ordering broadcasts from the Montreal,
15 Three Rivers, Quebec, Kingston, and Cardinal
16 coast stations, and will indicate at the
17 beginning of the message whether it is
18 intended for immediate or routine broadcast."
19 Will you please explain this to us?

20 A. Well, of course, as I have mentioned, the
21 Montreal signal station office has the jurisdiction on the
22 broadcasting of any message - we call that regular broad-
23 cast or special broadcast on the two teleprinter circuits.
24 998 and 999 going from St. Vincent to Quebec inclusive.

25 Q. The term "broadcast" in the paragraph I
26 have read - does this mean teleprinter?

27 A. No. Broadcasts are sent to radio stations
28 only through the teleprinter.

29 Q. You refer to the fact that Montreal will be
30 responsible for the broadcasts.



French 1 A. When we say broadcasts we always mean tele-
2 printer, because before the radio telephone, which we have
3 as an experiment right now, personally, as far as the
4 office is concerned, we had no rules to conclude that our
5 messages were sent by the broadcasting stations. As I
6 mentioned last Friday, since we have this radio telephone,
7 we receive, from time to time, messages which are sent by
8 the broadcasting station of Three Rivers and of Montreal,
9 and which are regular and special broadcasts. We now
10 receive them, so we can now verify that they broadcast
11 them regularly.

12 At the beginning of the year we couldn't know
13 for sure if our broadcasts were made by the radio stations,
14 but since the beginning of this year, let us say, since
15 May, we are in a position to know whether they are sent or
16 not, because we have a radio telephone whose frequency is
17 high enough to enable us to receive Three Rivers.

18 Q. So do you listen regularly on your radio
19 telephone to the information which you have transmitted,
20 to know whether or not they have been broadcast?

21 A. No, there is no check along those lines,
22 because we get this by pieces. We are not the only ones
23 listening.

24 Q. I think there is a misunderstanding concer-
25 ning the last paragraph I read. The broadcasts meant
26 here are by radio, and not teleprinter?

27 A. As I mentioned.

28 Q. This is to order the broadcast?

29 A. If you go back to the title of this instruc-
30 tion manual, you will see that there are instructions for



French 1 the use of teleprinter and not for radio telephones.

2 Q. Now, I am reading the following paragraph,
3 Routine Broadcasts, No. 2.2.1.9.3.1., and I quote:

4 "Broadcasts will be made hourly by Montreal,
5 Three Rivers, Quebec, Cardinal and Kingston
6 coast stations according to the following
7 table."

8 It gives the station, the time, the frequency,
9 and I don't think that I have to read all these frequencies.

10 The next paragraph, No. 2.2.1.9.3.2, reads as
11 follows:

12 "These scheduled broadcasts shall consist
13 either of the message 'no obstructions to
14 navigation reported,' or such message as may
15 be ordered by the Montreal Signal Service
16 office."

17 Paragraph No. 2.2.1.9.3.3 reads as follows:

18 "No obstruction to navigation reported.

19 It will be broadcast on 2182 K/C's, and
20 500 K/C's only. The message ordered by
21 the Signal Service at Montreal to be
22 broadcast shall be transmitted on the
23 working frequencies, and repeated on these
24 routine broadcasts until cancelled by
25 that office."

26 Will you explain the difference between a
27 routine broadcast and an immediate broadcast?

28 A. An immediate broadcast implies an urgent
29 broadcast, as I mentioned a while ago; a change in visi-
30 bility, either fog or heavy rain, or even snow in the Fall,



French 1 or even a grounding of a ship, or collision of two ships.
2 Something along those lines.

3 Q. Your radio broadcasts of information are
4 made every hour; for example, at 12.30 noon there is a
5 grounding in the channel. What happens?

6 A. At that time our operator will send auto-
7 matically; of course, this message is received by a radio
8 station in the first place, so our operator will relay to
9 the radio stations the message immediately.

10 Q. On the teleprinter?

11 A. No, if this has happened in Montreal or
12 Quebec this will be sent only to radio stations between
13 these two limits.

14 Q. Why not send this into the Seaway? If the
15 ship wants to go as far as Quebec she wants to know if
16 there are obstructions.

17 A. She will know it automatically because of
18 the frequency of the Montreal radio station.

19 Q. And this is transmitted immediately to the
20 radio station?

21 A. As such, because it happens that when the
22 message we receive is not complete as far as the details
23 and exact position of the ship is concerned, so the message
24 is sent as is, and then we check, or try to obtain further
25 information concerning the location of the ship, or any
26 other similar details.

27 Q. And this is done immediately by the radio?

28 A. Then this is sent on our regular routine
29 message every hour.

30 Q. Is that what you call routine broadcasts?



French 1 A. Yes. Now, you have mentioned the case of a
2 buoy in the Quebec District which would be reported.

3 Q. Yes, three buoys. Could you give us the
4 information concerning this incident?

5 A. I have various copies of messages which we
6 have received, which mention buoys which are not operating,
7 or not operating properly, in the Quebec District, so I
8 can show them to you and you will see the procedure which
9 we use up to the time when this message is re-transmitted
10 on our regular broadcast.

11 I have here, dated July 7th, a message which has
12 been sent to us by the Quebec pilotage station, and I read
13 the message. I can read translating the English:

14 "At 0420 Pilot P.A. Lachance reports
15 Buoy 123-Q extinguished."

16 This is signed by the pilotage office. Now, our
17 agents in Montreal, receiving this message, put it on an
18 appropriate sheet - we have a format here.

2 19 Q. These sheets are supplied by the Department?

20 A. No, these are printed locally, to keep a
21 record of messages which are sent to us, and when there
22 are changes in our personnel, that the new persons will
23 see what has been done just before.

24 Q. Doesn't this appear on the copy which
25 remains on the teleprinter?

26 A. Yes. I mentioned the time with the inten-
27 tion - this message was given to us at night. If it had
28 been during the daytime, the message is compiled on this
29 sheet, and around four, four-thirty in the afternoon, we
30 ask the local stations, in this case Sorel and Quebec,



French 1 which is where the maritime agent's offices are located,
2 to find out from the Marine Agent if the buoys which have
3 been reported have been repaired during the day. If not,
4 well, starting from 5 or 6 o'clock, according to the period
5 of the season, 6 o'clock in the summer, the message is
6 broadcast until the next morning until daylight.

7 Q. That is if a buoy's light has gone?

8 A. And also if it is displaced, or whether it
9 is daytime or night this message will be broadcast auto-
10 matically.

11 Q. So, if I understand you correctly, you
12 don't wait until you get a message that the buoy has been
13 repaired, but you ask yourself if the buoy has been
14 repaired or replaced?

15 A. Yes.

16 Q. Do you do that every day?

17 A. No. Of course, as long as there are
18 messages on these sheets concerning buoys.

19 Q. Concerning aids to navigation in general,
20 or just buoys?

21 A. As you see, this sheet is divided into two
22 parts. On one side you put buoys and lights, and on the
23 other ships which could be anchored for some reason or
24 another. So if there is something on each side of this
25 sheet, the operators will re-broadcast the messages.

26 MR. JACQUES: I think we should file as an
27 exhibit, one of these sheets.

28 THE WITNESS: Well, you have examples of ships
29 anchored here.

30 MR. JACQUES: Do you need that?



French 1 THE WITNESS: I could have a copy made.

2 MR. JACQUES: I should like to file as Exhibit
3 No. 547 a copy of this sheet, mentioned by the witness,
4 and there are various titles here which can be explained
5 by the witness. This will be replaced by a copy, so that
6 we can return the original to the witness, if there is no
7 objection.

8

9 --- EXHIBIT NO. 547: Form for recording messages.

10

11 Q. Now, would you like to explain Exhibit No.
12 547? On the left you have month and the day of the month?

13 A. Yes.

14 Q. Now, the extreme left column is "Ships
15 reported anchored," and here you have the date, the time
16 at which the ship is anchored, the time when the anchor
17 has been raised, the name of the ship, and where it is
18 anchored, and this sheet is filled in as you receive the
19 information on the teleprinter. At the end of the day, at
20 4 o'clock, do you make the same check as you do for buoys
21 or aids to navigation?

22 A. When our night operator comes in - I go
23 back to this term, this is automatic, these sheets are
24 always next to the teleprinter in such a way that when the
25 operator looks at it he immediately sees if there are buoys
26 which have been reported as being inoperative, or if there
27 are ships which are anchored for some reason or other.

28 Q. Does he check if the ships have left or not?

29 A. Well, he checks, but unfortunately, as you
30 see here, next to the name of each ship you see only a few



French 1 hours of raising of anchors.

2 Q. This is one from June 7th, north side
3 Sorel shipping station?

4 A. I think that the Regional Superintendent
5 can testify that in many cases in the past the Authority
6 had asked the pilot to report - I mean pilots or ships
7 to report - the time when they raise anchor, to report
8 this to us, so that we could take away from our broadcast
9 ships which had been indicated ---

10 Q. Why?

11 A. Well, in order to avoid reporting that a
12 ship is anchored in a place when she is no longer in that
13 place.

14 Q. This is only done partially, not completely?

15 A. Yes.

16 Q. Have you complained to the District Superin-
17 tendent concerning this matter?

18 A. Well, not a formal complaint, but when we
19 have talks it has been mentioned. The former Regional
20 Superintendent of Pilots, Captain Gendron, has mentioned
21 this, both verbally and in writing, to the pilots, and I
22 think that on some occasions we have indicated in our
23 bulletins a message to that effect.

24 Q. I should like to read an extract of the
25 Montreal Signal Service for morning, October 12th, 1961.
26 It has in its first part the following text:

27 "Notice to mariners. Speed regulations.

28 Ship masters are reminded of speed regula-
29 tions on the St. Lawrence River.

30 2. Anchorages. Ship masters are reminded



French 1 of the necessity of advising signal
2 service by radio telephone immediately
3 in cases where they anchor, or get under-
4 way following anchoring, between Montreal
5 and Quebec.

6 3. Casualties or accidents. Ship
7 masters are reminded to advise the
8 signal service immediately by radio
9 telephone in case of casualties or
10 accidents.

11 4. E.T.A. Ship masters are requested
12 to send their E.T.A. to pilot stations."

13 I read the whole notice to mariners, my lord,
14 but, of course, only Section (2) applies to what the
15 witness has testified to.

16 Now, at 4 o'clock, when the operator comes in
17 at 4 o'clock, he checks this sheet. Does he ask informa-
18 tion concerning ships which are anchored?

19 A. No. he will continue to broadcast a ship
20 anchored even if it is not any longer, until the time he
21 gets a report to the contrary, or if, for instance, the
22 cause of the anchoring has been due to bad visibility,
23 rain, fog, or snow, up to reports indicating that visibi-
24 lity has improved.

25 Q. Now, wait a second. A ship is at anchor.
26 You are informed of the fact. This goes on the tele-
27 printer on all your circuits. Okay. It is broadcast by
28 radio in a routine broadcast, and it is entered on these
29 sheets, Exhibit No. 547, and every time you have a routine
30 broadcast you give the name and the places of ships



French 1 anchored?

2 A. Yes, their position as indicated here on
3 Exhibit No. 547.

4 Q. Now, if the ship is no longer anchored?

5 A. As I mentioned, our operators will broad-
6 cast the same message even if the ship no longer is
7 anchored, up to the time that he receives our report to
8 the contrary. By that I mean it has happened many times
9 that a pilot goes by where the ship was anchored, and he
10 says, "There is no ship there," and the visibility is good,
11 and in that case the pilot will co-operate by sending the
12 message that the ship had left.

13 Q. But this ship itself didn't inform you?

14 A. No; the same thing happens with smaller
15 ships, who don't have pilots. I would like to say that
16 most cases apply to that.

17 Q. So this non-observance of the regulation
18 read a while ago might lead to some confusion, perhaps a
19 delay?

20 A. That is why we have the articles posted in
21 our bulletins, notices to pilots.

22 Q. The notice is sent to masters?

23 A. Yes, those who are responsible for the ship.

24 Q. Now, let's go on to buoys and lights extin-
25 guished. You have explained that every day at 4 o'clock,
26 if the lights were extinguished ---

27 A. I said 4 o'clock, but it is at another
28 change in shifts. There are three shifts: 8 to 4; 4 to
29 midnight; midnight to 8 in the morning.

30 Q. And you see also that the righthand column



French 1 is "Check whether repaired"? Who gives you this informa-
2 tion?

3 A. As I mentioned a while ago, our operator,
4 the clerk, checks if it is a buoy in the District of the
5 Sorel Marine Agent. He checks the agency at Sorel to find
6 out if the buoy has been repaired during the day, and if
7 it has been repaired, well, the message won't be broadcast.

8 Q. And you enter the date on which the buoy
9 has been repaired?

10 A. Yes.

11 Q. I think that you have to deal with not only
12 the Sorel Marine Regional Agent, but also the one in
13 Quebec?

14 A. Yes. I was going to say alas.

15 Q. Why do you say alas?

16 A. Well, we have always had a great amount of
17 difficulty with the Marine District Agent in Quebec.

18 Q. Why?

19 A. I couldn't tell you. We have no proof, but
20 it is a fact that has been reported to us by some employees.
21 I don't say the maritime service. It is the service of
22 the Marine Agent. Captain Goudreau received instructions
23 which I told you about concerning our teleprinter, and
24 himself or his office didn't take any notice of it.

25 Q. What makes you think that?

26 A. According to the messages sent, when it
27 comes from Quebec, even upstream of Quebec, it concerns
28 all the buoys under his jurisdiction. Well, he takes it
29 upon himself to broadcast these, and to stop the broad-
30 casts when he wants, without it going through our office.



French 1 I mean by that that he takes all the responsibility for it.
2 Last year, at the end of the 1961 season, I mentioned the
3 fact to the Regional Superintendent, who was Captain
4 Gendron then, and Captain Gendron wrote personally to
5 Captain Goudreau to draw his attention to this. I have
6 here a copy of this letter.

/PE/dpw 7 MR. JACQUES: If the court please, these are
8 concerning the notices to pilots and I would like permis-
9 sion to read this letter dated December 8th, 1961, Captain
10 Goudreau, District Marine Agent, Quebec. (Reads)

11 Q. Now, Mr. Monarque, this letter refers to
12 instructions or to teleprinter of October 1st, 1959.
13 These instructions are still in force or are those in
14 force now different from those which were in force
15 October 1st, 1959?

16 A. No. As far as the Services is concerned.

17 Q. This problem, as far as it is mentioned in
18 this letter, has been rectified?

19 A. I must admit that there has been, during
20 the last year, a certain improvement. This still happens
21 quite often. Now, you will notice that in his letter
22 Captain Gendron mentions periods are necessary for sending
23 their own message.

24 Q. You mean a little time which is given to
25 them as 37 minutes?

26 A. I have here an answer to a complaint made
27 by the Telecommunications Chief, the letter which Captain
28 Gendron wrote to me, in order to shorten as much as possible
29 the messages which we send on the circuit. I have here
30 Captain Gendron's complaint or the one he received from the



French 1 Telecommunications Services. I have here the letter
2 received by Captain Gendron concerning the complaint made
3 by the Director of Telecommunications. I will try to find
4 it.

5 Q. You could perhaps tell us the nature of this
6 complaint.

7 A. It was due to the length of messages only
8 because the service of the radio coastal station is given
9 free of charge so that it is normal that these stations
10 might have enough time to carry their commercial traffic.
11 That seems fair enough.

12 MR. JACQUES: My lord, in relation to what the
13 witness has just said, I would like to read a letter
14 addressed to Mr. Monarque, in January, 1962. This letter
15 is in English and is as follows:

16 "Montreal, January 12th, 1962. Mr. F.
17 Monarque, Chief Signal Clerk, Montreal.
18 In accordance with a demand put forward
19 on December 4th, 1961, by Mr. Thomas
20 for the Regional Director, Air Services,
21 Dorval, regarding reduction of the size
22 and working of Notices to Mariners which
23 are usually broadcasted through the
24 Marine Radio Coast Stations, I wish to
25 authorize the Chief Signal Clerk at
26 Montreal to comply with the following
27 suggestions:

28 (a) 'Ships are requested to be cautious
29 when passing this area' to be sent as
30 'Use caution.'



French 1 (b) When there are more than 3 ships
2 anchored in the river in fog, instead
3 of naming them all for their different
4 locations the following should be sent:
5 'Several ships are anchored in fog
6 between...and...'
7 (c) When a Notice to Mariners ceases to
8 exist or is requested, notification to
9 cancel it or broadcast it should be
10 forwarded to the Montreal Signal Chief
11 immediately for wording, screening and
12 execution.
13 (d) Notmars on extinguished buoys should
14 be cancelled for daylight hours.
15 (e) Except on rare occasions, a Notmar
16 should not be broadcasted after a period
17 of 24 hours since pilots can avail them-
18 selves of copies for themselves and
19 masters of vessels at the pilotage offices.

20 Signed. J. Gendron, Regional
21 Superintendent of
Pilots"

22 Q. Can you explain to us what is a "Notmar"?

23 A. That is an abbreviation of the three words
24 "Notice to Mariners." I now have here an example which
25 would illustrate the length of the messages that the
26 Director of Telecommunications was mentioning. This
27 covers only one broadcast.

28 THE CHAIRMAN: I think that maybe you could
29 produce this as an exhibit, rather than read it.

30 MR. JACQUES: It is of no interest except to



French 1 show the length and this document will be produced as
2 Exhibit No. 548. This is an example of the length of a
3 message broadcast on the teleprinter circuit in Montreal.

4

5 --- EXHIBIT NO. 548: Example of the length of a message
6 broadcast on the teleprinter circuit
7 in Montreal.

8

9 THE CHAIRMAN: Are you going to change subject
10 now?

11 MR. JACQUES: I was going to ask one question of
12 the witness.

13 Q. Would you have any other comments to make
14 on the Signals Services controlled by Montreal?

15 A. Yes. A while ago you asked one question,
16 mentioning You were asking if these messages were given to
17 other persons or other stations than to radio stations.
18 Of course, I should have, at that time, specified that all
19 these messages are automatically transmitted also to the
20 pilotage stations in Montreal, Quebec and Three Rivers, to
21 be posted on the notice board of the notices to pilots.

22 Q. So the pilots themselves have a direct and
23 immediate service?

24 A. Yes.

25 Q. Is that all you have to add?

26 A. Yes.

27 MR. JACQUES: Thank you.

28 THE CHAIRMAN: Just one question before we
29 adjourn for a few minutes. Now, as far as all these
30 irregularities which seem to be the case in the use of the
teleprinter by Quebec, I can understand that this is an



French 1 inconvenience to stations, to other users, but I would like
2 to know what are the consequences as far as the pilots and
3 as far as pilotage is concerned? Are there any adverse
4 consequences to them?

5 THE WITNESS: No, your lordship, inasmuch as the
6 messages are well-broadcast.

7 THE CHAIRMAN: Is there any confusion resulting
8 from the fact that everything does not come in at the same
9 time?

10 THE WITNESS: Well, confusion -- the Three
11 Rivers station - now, when I say this, I am basing myself
12 on a conversation which I had with the Three Rivers
13 station operator. When the messages are too long, they
14 have a tendency themselves to shorten them. So, to what
15 extent can they shorten a message and still carry the idea
16 of the message itself?

17 THE CHAIRMAN: You also have mentioned that
18 Quebec insisted on keeping the control on the broadcast
19 dealing with navigational aids?

20 THE WITNESS: Yes. I want to mention here that
21 I am not talking about the Signals Service or the coastal
22 radio station of Quebec, but the marine office in Quebec.

23 THE CHAIRMAN: Yes. But this broadcast, this is
24 an irregular broadcast. Could not that create a certain
25 confusion for the pilots or any other person who would
26 need this information?

27 THE WITNESS: Yes. As a matter of fact, I think
28 that Captain Gendron in his letter was mentioning this
29 himself. There is a confusion for the District in the
30 lower part of the St. Lawrence.



French 1 THE CHAIRMAN: Thank you. We shall now recess
2 for a few minutes.

3

4 --- Short Recess

5

6 BY MR. JACQUES:

7 Q. The last question, Mr. Monarque, concerning
8 the confusion which could be created by the fact that the
9 regulations are not being observed as far as the broadcast
10 of information is concerned, would you like to tell us if
11 you have concrete examples?

12 A. It has happened to us on many occasions,
13 and this testimony can be confirmed by the Quebec Signal
14 Station at any time, that messages, the broadcast of which
15 had been authorized directly by Captain Goudreau, were being
16 broadcast during a whole week. They were supposed to be
17 broadcast for a full week, concerning obstructions to
18 navigation, and after one day the obstruction did not
19 exist any more and the Marine Agent had forgotten to tell
20 the broadcasting station to cease the broadcast and the
21 broadcast was carried on for a full week.

22 Q. Thank you. Now, you are in charge of the
23 staff in Montreal, Three Rivers, and Sorel; is this
24 correct?

25 A. I have this responsibility. This is true.

26 Q. Can you give us the detail of the staff
27 which is under your jurisdiction, the number of people, and
28 their functions?

29 A. I thought that you were going to say
30 "qualifications."



French 1 Q. Well, qualifications will be my next
2 question.

3 A. Well, anyway, we have, in the Montreal
4 office, eleven seasonal employees, five of whom are
5 functioning in the pilotage section and six in the signals
6 section. We have two senior clerks, and this is indepen-
7 dent of the accounting section where we have one accountant,
8 one Grade III and two girls, Grade II clerks.

2 9 Q. So 16 employees altogether?

10 A. And I must add to this two secretaries, the
11 secretary of the Regional Supervisor, and the secretary of
12 the District Supervisor.

13 Q. Did you include yourself?

14 A. Yes, of course. I can include myself if you
15 want. I excluded the District Supervisor and the Regional
16 Supervisor. If you want, in order to have the total
17 number of employees, you can also add the Building Super-
18 visor.

19 Q. So you have 16 under your jurisdiction,
20 plus yourself, the Regional Supervisor, the District Super-
21 visor, plus the Building Superintendent; this is a total
22 of 22 for pilotage and signals?

23 A. Now, if we go to Cap St. Michel station,
24 we have three seasonal employees and one full-time person.

25 Q. Now, when we are talking about seasonal
26 employees and a temporary employee, what is the difference?

27 A. A seasonal employee - well, he is seasonal
28 when he is employed for the duration of the navigation
29 period, which means from the end of March until the 31st
30 of December inclusive.



French 1 Q. So, he is not paid by the year?

2 A. No, he is not paid by the year. A permanent
3 employee is paid by the year and, in addition, the perma-
4 nent employee is scheduled only on day shifts, five days
5 a week, excluding weekends, while the seasonal employees
6 are on rotating shifts seven days a week and during the
7 night also.

8 Q. This is at St. Michel?

9 A. Now, in Sorel we have four seasonal
10 employees and no permanent employee, while in Three Rivers
11 there are five seasonal employees and one permanent
12 employee, a clerk Grade IV who is in charge of the Sorel
13 station.

14 Q. Now, if we come back to Montreal, you have
15 told us that you have, I think, five employees with the
16 Signals Services and six with the Pilotage Services?

17 A. Yes.

18 Q. What are the qualifications of your
19 employees who are in the Signals Service?

20 A. Just a minute, please. I have brought with
21 me some circulars which give in detail the required quali-
22 fications and the functions which are fulfilled by our
23 clerks of Transport Expedition, which is the exact title,
24 and this is good as well for Montreal, Quebec, Sorel and
25 Three Rivers. But I have not mentioned Cap St. Michel
26 because we have employees there who are called Signal
27 Agents as the others are Transport Operating Clerks, which
28 is the title for the employees in Sorel, Three Rivers and
29 Montreal.

30 Q. Can you give us the qualifications of a



French 1 Transport Operational Clerk?

2 A. Well, the required qualifications are
3 written on this circular: high school education - and they
4 will get additional points for a complementary education -
5 some experience in office work and certain knowledge of
6 methods of practice of office work, a certain aptitude to
7 operate a typewriter or a teleprinter at a speed of 20
8 words a minute, aptitude to understand and follow written
9 or oral instruction, personal qualifications and a satis-
10 fying state of health.

11 We added, as a note, "A knowledge of French and
12 English sufficient to fulfil the required functions."

13 Q. Should I conclude that your Transport
14 Operation Clerks are all bilingual?

15 A. Necessarily, they must be.

16 Q. Now, somebody who is employed by you, what
17 procedure is followed to permit this person to become
18 familiar with your operations?

19 A. It is evident that the candidate who is
20 selected must go through a training period. Since we had
21 the merger of the two services, I say that I, because
22 this is part of my work, always made the practice to have
23 the training period start on the Signals Service and have
24 it followed by a training period in the pilotage section.
25 This way the clerk could develop whatever potential quali-
26 ties he has and when he reaches the pilotage section he
27 already has a certain technical training. He will be more
28 familiar with navigation aids and other questions relating
29 to navigation.

30 I can furnish at different intervals of time



French 1 myself, to different employees, any kind of documentation
2 which can help them and increase their knowledge and I
3 tell them all the time to try to increase their knowledge
4 by reading such documentation as possible on all questions
5 relating to their work.

6 Q. What is the period of time which you deem
7 necessary for an employee to become efficient in his work?

8 A. By experience, we presume that two months
9 of training in the signals section is sufficient and in
10 the pilotage section, because of the particularities and
11 the diversity of the work, the training period might go up
12 to a year, a year-and-a-half.

13 Q. Is that so?

14 A. Yes, that long.

15 Q. While the employee is in training, does
16 someone supervise his work?

17 A. Yes, this is necessary.

18 Q. Would you do that in one section more than
19 another?

20 A. I do not insinuate anything.

21 Q. I want to know if, when someone is assigned
22 for the first time to the Signals Service, is someone
23 there to be responsible to see that the work is well done?

24 A. So, without insinuating myself on anything,
25 I would say yes. As far as the pilotage service is
26 concerned, there is what I would call a basic training
27 period which can last about three months. Now, this makes
28 it possible to a person who is being trained to familiarize
29 himself as well with pilotage bylaws as with the diversity
30 of different cases which may arise. After that an employee



French 1 is put on rotating shift.

2 Q. So during the first three months he is not
3 affected by that?

4 A. No. He is with the day shift; not only with
5 the day shift, but he is with someone else who is on duty
6 on that shift. Now, if I have mentioned this training
7 period can go as far as a year-and-a-half, it is that
8 there are some situations which will arise at the beginning
9 of the season, or at the end of the season, and which will
10 not arise during the season. In some other cases, it will
11 be the contrary. So, this is why the training period is
12 so long, the final training period in the pilotage section.

13 Q. Now, what do your employees do during the
14 winter, outside the navigation season?

15 A. Of course, by personal interest, most of
16 them try to draw unemployment insurance benefits.

17 Q. So, these people, do they work at the
18 pilotage station?

19 A. You see, some employees have tried to find
20 work but when the statistics on unemployment insurance are
21 here to prove this, there is a great number of workers out
22 of work during the winter, between the Fall and the Spring.
23 So the competition is so strong at that time that it is
24 very difficult for employees to find work.

25 Q. But do you maintain a certain number of
26 employees in operation during the winter?

27 A. Since the winter of 1963 we have, with the
28 authorization of our headquarters, been able to recall
29 part of our employees in order to face the winter naviga-
30 tion, and due to this our employees have been partially



French 1 employed during the winter.

2 Q. Does this include the seasonal and the
3 permanent?

4 A. I am talking only about the seasonal
5 employees. The permanent employees, being only on the
6 day shift, five days a week, excluding Saturday and Sunday ---

7 Q. Oh, yes. They go on fulfilling their func-
8 tion throughout the winter?

9 A. What I said before applies only to the
10 seasonal employees. Now, what I have just mentioned,
11 dealing with winter navigation, we were authorized to call
12 in those employees in order to cover the hours or the
13 periods of the day while the ships were still navigating
14 in the river and outside the normal hours of the day - let
15 us say early in the morning and late at night or during the
16 night ---

17 Q. Can you tell us how your shift system works
18 in Montreal, to start with?

19 A. After a number of conferences held with
20 our headquarters in Ottawa, we have been compelled to
21 reduce as much as we can, without causing any hindrance to
22 the efficiency of the services. So we have established a
23 standardization of our schedule incorporating Three Rivers,
24 St. Michel and Quebec, and these have been standardized in
25 a general way. We have to take into account the local
26 conditions, which are quite different. To give you an
27 example, Montreal and Sorel, or Montreal and Three Rivers:
28 in relation to that, I have established a schedule which
29 has been approved by my superiors and which came into
30 force at the beginning of this season. I have a copy here



French 1 | which you could follow.

2 | Taking, as an example, the schedule for the
3 | Montreal Signal Service ---

4 | MR. JACQUES: I should like to file a copy of
5 | this schedule as Exhibit No. 549.

6 | THE CHAIRMAN: Could you give a description of
7 | the document?

8 | MR. JACQUES: Yes, my lord. Exhibit 549 has
9 | five pages, giving the schedule of the shifts in Montreal,
10 | Sorel, Cap St. Michel and Three Rivers, in relation to
11 | Signal Services and Pilotage Services.

12 |
13 | --- EXHIBIT NO. 549: Five pages, giving the schedule of
14 | the shifts in Montreal, Sorel, Cap
15 | St. Michel and Three Rivers, in
16 | relation to Signal Services and
17 | Pilotage Services.

AGdpw 17 | Q. Now, would you like to explain the contents
18 | of Exhibit No. 549? The first sheet is entitled Montreal
19 | Signal Service.

20 | A. As you see, it is a shift established for
21 | five employees. I mention five because I said six a while
22 | ago in the Signal Service. The sixth person is kept during
23 | the daytime for a certain period. It is one of the most
24 | qualified employees that we have, as a matter of fact, and
25 | since we were threatened with his leaving, in agreement
26 | with our Regional Superintendent, we agreed to leave him
27 | during the daytime for the summer period.

28 | I want to mention that during this summer period
29 | he is finishing his training on the pilotage section, but
30 | from the beginning of September this employee will be on



French 1 rotating shifts like everybody else.

2 Q. This is why you have here another schedule,
3 with six employees, going to the letter E. The second
4 schedule you mentioned goes to the letter F. That is the
5 sixth employee?

6 A. Yes.

7 Q. In the lefthand column you have the date,
8 and columns under A, B, C, D and E indicate the working
9 hours for the employees. Is his absence indicated?

10 A. Well, these absences are during the week
11 as well as during the weekend.

12 Q. Do these schedules apply only to seasonal
13 workers?

14 A. Yes, only to seasonal.

15 Q. And in the Signals Service how many
16 employees do you have per shift?

17 A. Starting with the evening shift we have one
18 for night and three for day.

19 Q. So when do they start the night?

20 A. Toward midnight.

21 Q. So from midnight to 8 o'clock in the morning
22 you have one employee only?

23 A. We have one from 4 o'clock to midnight. I
24 said three for the daytime, I believe, but it is two for
25 the daytime, because one is always absent.

26 Q. So, from four to midnight, one; from mid-
27 night to eight, one; and from eight to four in the after-
28 noon you have two seasonal employees, and one permanent?

29 A. Yes, which is a Grade IV permanent post.

30 Q. The employee mentioned a while ago who is



French 1 working only daytime at the present time, is he a seasonal
2 employee?

3 A. Yes.

4 Q. So, at the present time, you have two
5 seasonal employees, one permanent employee for the Signals
6 Service, and this other employee who works only in the
7 daytime?

8 A. He types our maritime bulletins, sees to it
9 that they are printed, mailed, and any other typing work
10 that has to be done.

11 Q. Have you had complaints concerning the work
12 of your employees?

13 A. Do you mean that there are complaints from
14 outside?

15 Q. Yes.

16 A. No. As far as the employees are concerned,
17 no.

18 Q. Have you had any complaints concerning your
19 Signals Service?

20 A. No.

21 Q. So nobody has complained that the staff was
22 not adequate, that it was not sufficient? Have the pilots
23 complained?

24 A. I have in my mind the present state of our
25 service. I don't know if this is what you want to refer
26 to.

27 Q. Yes, the present state?

28 A. My answer is still no.

29 Q. Does that imply that you had previous
30 complaints when the state of the service was not the same



French 1 as it is today?

2 A. Yes; these were due to circumstances which
3 were beyond our responsibility. This was due to a lack of
4 staff. They happened last year and the year before, 1961
5 and 1962.

6 Q. You didn't have enough personnel?

7 A. No.

8 Q. What did you have on each of the shifts?

9 A. In 1961 we had one employee resigned, and
10 it took a long time to replace him. Another was transferred
11 to Three Rivers, and that also took a long time before we
12 could be authorized to replace him, and last year we had
13 an employee who was transferred to the Unemployment
14 Insurance Commission, and another was compelled to resign
15 for a disciplinary reason, and the third one had a heart
16 attack, so we had three vacancies which our headquarters
17 didn't authorize us to fill.

18 Q. What are the nature of the complaints made?

19 A. I don't want to say that it is their fault,
20 of course. Their hands are tied by regulations of the
21 Civil Service Commission.

22 Q. What was the nature of the complaints made
23 concerning your service?

24 A. Well, obviously this service was not what
25 it should be.

26 Q. What was it that didn't work well?

27 A. As I told you Friday this is a service that
28 transmits to the public and companies, and all persons
29 concerned, reports dealing with the movement of ships.

30 Q. Now, because of this lack of personnel, were



French 1 the messages not transmitted?

2 A. Yes, the messages were transmitted, but
3 everything went much more slowly, because one employee who
4 is busy during the daytime with the telephone and the bell
5 on the teleprinter requests him to attend to it; well, he
6 can't do both things at the same time.

7 Q. Now, has this delay in the transmission of
8 messages had any effect on navigation?

9 A. No, in spite of that it should be to the
10 honour of the employees who were left. They have been
11 careful enough to avoid anything that might lead to an
12 accident.

13 Q. So, still on Exhibit No. 549, let's examine
14 the staff you have in the pilotage section. The arrange-
15 ment on the table is the same, and it shows that you have
16 five seasonal employees?

17 A. Yes. You have the same shifts, except that
18 due to the peak time which was in effect last year around
19 dinnertime to the middle of the evening, we thought it
20 would be a good thing to have more persons to take care of
21 this additional work.

22 Q. So, midnight to 8 o'clock in the morning,
23 one seasonal employee?

24 A. From 8 o'clock in the morning to 1 o'clock
25 we have one seasonal employee. From 1 o'clock to 4 o'clock
26 in the afternoon, a second comes in.

27 Q. So, in the morning you have only one
28 seasonal employee from eight to 1 o'clock. Do you have a
29 permanent employee?

30 A. Yes, this was the other I was going to



French 1 mention. We have a senior clerk, Mr. Viau, who can help
2 out, or if he can't, we always have somebody from the
3 Signals Service to take care of the pilotage.

4 Q. So, one employee from eight to one; one
5 seasonal and one permanent despatcher?

6 A. That is right; and then, from 1 o'clock on
7 in the afternoon, we have another employee from 1 o'clock
8 in the afternoon up to 9 o'clock at night. So that means
9 two seasonal employees, plus our permanent employees.

10 Q. And these three are on duty to what time?

11 A. The one that had started at 8 o'clock in
12 the morning ends his shift at 4 o'clock, and another one
13 replaces him from four to midnight. At 9 o'clock in the
14 evening the one who entered at 1 o'clock ends his period,
15 and the one who started at 4 o'clock goes on till midnight.

16 That means to say that after 9 o'clock there is
17 only one person.

18 Q. And the chief despatcher coming in at 9
19 o'clock in the morning, when does he start?

20 A. Nine o'clock, normally, except in the summer
21 season when we have shorter hours.

22 Q. This is during the week. What about the
23 weekend?

24 A. There is a slight change because the
25 permanent employees aren't on duty, only in very special
26 circumstances. Now, weekends there are some changes
27 because the shift on the pilotage section is doubled from
28 8 o'clock in the morning to 4 o'clock in the afternoon by
29 another seasonal employee.

30 Q. So, during the weekend, there is no



French 1 permanent employee?

2 A. No, but I want to specify. I could give you
3 proof of that, that immediate superiors - I mean the
4 Regional Superintendent and the District Supervisors and
5 the senior officers, and myself; we are always available,
6 even late at night and during the night. We are wakened
7 up during the night many, many times.

2 8 Q. Now, during the weekend, when there is only
9 one seasonal employee, is there one employee who is
10 responsible for the operation?

11 A. Since 1961, if my memory is correct, the
12 Department have deemed it a good thing to make promotion
13 competition between seasonal employees in Montreal, in
14 order to make someone responsible on the shift, and the
15 Department has organized local competition for Grade II,
16 and I have circulars here which can give you all the quali-
17 fications and functions which should be fulfilled.

18 Q. So it is a little more responsibility than
19 the others?

20 A. Yes.

21 Q. Is there a clerk who is responsible for the
22 office during the weekend?

23 A. Usually, yes.

24 Q. What do you mean by usually?

25 A. Well, when you are in a given group there
26 are always absences because of sickness, or any other
27 reason, so if it happens that one of our clerks is having
28 more responsibility, that means a Grade II clerk is
29 absent, well, there won't be someone responsible, but in
30 general, yes. I want to stress that even if there is the



French 1 one, the clerk on duty who would have any special problem
2 could get in touch with the senior clerk, or the Grade II
3 clerk, or a Superintendent.

4 Q. Might it happen that when a clerk No. II
5 Grade during the weekend is absent, would it happen that
6 accidents might not have been reported to the Superinten-
7 dent?

8 A. By accidents do you mean incidents to navi-
9 gation?

10 Q. No, but rather to your despatching work.

11 A. Yes. Now, I want to stress that we have
12 not perhaps heard about it in the days immediately following
13 it, but later on we heard about it eventually. Disciplinary
14 measures were taken. I recall, amongst others, the case of
15 a man who last year was compelled to resign after having
16 been suspended the first time, and after having made a
17 similar fault the second time he didn't get his regular
18 salary increases for three months, and after the third
19 offence he was compelled to resign.

20 Q. What was the nature of the offence? Did
21 it have to do with despatching?

22 A. In the list of ships delayed in the Seaway,
23 which was mentioned yesterday, there were ships mentioned
24 which were delayed for quite a long period of time, and
25 this was due to this initial cause, and it is in relation
26 to that that this employee was forced to resign.

27 Q. This clerk who is responsible for the
28 office during the weekend, can you tell us what is his
29 experience in the service?

30 A. Well, he is a clerk who, in general, is



French 1 more qualified than the others, due to the fact that he is
2 a Transport Operator Clerk of Category II, and since the
3 Department thought it was a good thing to put him in
4 Grade II it was because he was deemed to have superior
5 qualifications.

6 Q. Now, this is in theory. In practice, how
7 many years' experience in the service has he had before
8 being put in charge of the office?

9 A. Our appreciation of the qualification of
10 employees has never been based on the number of years of
11 experience, because in every field you see employees who
12 can work from ten to fifteen years in the same job and not
13 progress a great deal there, whereas others, who have more
14 initiative, will be more qualified, and will get promotions.
15 To give you an example, we have an employee who has been
16 ten years with us, and another who is only hardly a year-
17 and-a-half, and it is the one with one-and-a-half year's
18 experience who has got much more qualifications than the
19 one who has been with us ten years.

20 Q. Who chooses the person who will be respon-
21 sible for the office during the weekend?

22 A. In fact, there is no established choice.
23 This choice is made according to the schedule. That is
24 why I mentioned a while ago quite clearly that it was, in
25 general, that there was someone responsible during the
26 weekend and not always.

27 Q. Have you had any complaints from the pilots
28 concerning the quality of service during the weekend last
29 year?

30 A. Oh, yes, on many occasions.



French 1 Q. Can you tell us the detail of these
2 complaints?

3 A. These complaints, let us say, in the first
4 place during the weekend it has happened that myself or
5 our District Superintendent, or the Regional Superintendent,
6 we have had occasion to go to the office, but in general
7 we only go when there are special circumstances. That is
8 to say that our employees are left alone, and last year
9 because we have had no complaint, this year on many occa-
10 sions, last year we have had an employee, I would even say
11 two, who had brought alcohol to the office and drank quite
12 an amount of it.

13 One of them was seen asleep in the office and in
14 no position to answer the telephone ringing next to him,
15 and it happens that it was the signal office that had to
16 work in the pilotage service.

17 In one circumstance I was called about it, and
18 I went to see myself and I saw that it was true, so I
19 complained to my immediate supervisor, and it is as a
20 result of that that this employee was suspended for seven
21 days.

22 Later on the same thing happened again, and
23 personally I made an inquiry, and I discovered that the
24 reason was true. When I say I made an inquiry, I didn't
25 make an inquiry only with the employees, but also with the
26 pilots, who have noted the fact by seeing it, and I
27 reported to the authorities, and the employee lost his
28 increase in salary for a three-month period.

29 Q. What do you mean by Superintendent?

30 A. I mean the immediate superiors. I



French 1 transmitted the case to the District Agent and then to the
2 Regional Superintendent, and then it goes on to headquar-
3 ters.

4 Q. So this is a defect not in the service, but
5 it is rather a human fault, but what about the system
6 itself; has it been criticized, the shift system that you
7 have - has this been criticized by the pilots?

8 A. Yes; many, many times. I want to specify
9 that the complaints which have been made have never been
10 put in writing, only verbally. Some pilots have complained
11 that at night, and even early in the morning, and during
12 weekends, there weren't enough employees to take care of
13 the work to be done, and our District Superintendent can
14 also state this. We told them that we stuck to the
15 instructions received from the Department, to the effect
16 that we had to reduce overtime to a minimum, and that
17 according to the regulations of the Department we could
18 only have 11 seasonal employees on both sides.

19 Q. So you have received complaints to the
20 effect that the service was not adequate?

21 A. Yes.

22 Q. Did you get cases where this system has
23 failed?

24 A. Well, this was due to the time interval
25 between, let us say - I don't want to say the receiving of
26 a call, but let us say between an answer to a telephone
27 call made by a pilot. There were similar cases.

28 Q. Can you explain?

29 A. Supposing a pilot was to call the office.
30 It would take him a long time before he gets the line, or



French 1 before someone answers the 'phone, because the employee
2 on duty is answering another call, or is busy on his
3 teleprinter, or is making entries in his book. As far as
4 I recall it was limited to that.

5 Now, I want to specify that one pilot amongst
6 others, not as a complaint, but has mentioned the fact
7 many times that the immediate superintendents were not
8 at the office during the weekend. By immediate superin-
9 tendents I mean above the normal employee who was in
10 charge, but according to the Civil Service regulations we
11 are restricted to a certain number of hours per week.

12 Q. Do you mean for seasonal employees, or
13 those who work during the weekends? Don't they have a
14 time card? Don't they punch a card?

15 A. Yes. All the employees, superintendents
16 and others, we have to sign our time of arrival and depar-
17 ture on sheets which are sent to us by the Department. We
18 have to do that.

3 19 Q. It might happen that somebody forgets to
20 sign?

21 A. I must say no, that this doesn't happen.
22 At least as far as the Pilotage and Signal Services are
23 concerned.

24 Q. Going back to complaints about the tele-
25 phone during the weekend: you said that pilots complained
26 because they couldn't obtain the line or an answer to
27 their 'phone call as quickly as they wanted.

28 Now, I am a bit bothered, because you receive
29 via telephone information vital to the maritime traffic
30 from Cote Ste. Catherine, I believe?



French 1 A. Yes, that is true.

2 Q. Do these people have to wait as long as the

3 pilots to obtain their call?

/dpw 4 A. As far as Cote Ste. Catherine is concerned,

5 the ringing of the telephone is different and when the

6 clerk on duty hears that particular ring, he will ask the

7 person who is talking to wait and then the message coming

8 from Cote Ste. Catherine is usually a very short one and

9 then he can handle it. So the person who is talking to

10 him on another 'phone will wait for a short while.

11 Q. And it is the same 'phone number?

12 A. You mean it is a number which the pilot

13 signals when he wants to call a station and we have a

14 direct line. It is a push-button telephone and we have a

15 local which is reserved for Cote Ste. Catherine.

16 Q. Separate lines?

17 A. Yes.

18 Q. And the conversations which may take place

19 on the other 'phones do not prevent the Ste. Catherine

20 wardens to get in touch with the station?

21 A. Not as far as I know.

22 Q. Now, we will discuss the cases of Sorel

23 and Cap St. Michel. In Sorel, according to Exhibit 549,

24 you have two seasonal employees and the same thing in

25 Cap St. Michel?

26 A. No. Excuse me; this schedule here, the

27 headline would be - Cap St. Michel applies to the same

28 schedule now for the seasonal employees who are working

29 at the Cap and the four seasonal employees who are working

30 at Sorel.



French 1 Q. So if the one list started at midnight, the
2 shift working from midnight till eight in the morning, how
3 many people do you have at Cap St. Michel?

4 A. We have one employee only at both stations
5 on each shift, on the 24 hours, and one seasonal.

6 Q. Do you have any permanent employees at
7 Cap St. Michel?

8 A. There is a permanent employee but this
9 employee works on rotating shifts just like the other
10 employees. This is due to the years of service. This
11 employee was appointed as a permanent one several years
12 ago and the Department leaves him as such until the time
13 when he reaches pension age and eventually this employee
14 will be replaced by a seasonal employee.

15 Q. In Cap St. Michel is there one of the
16 employees who has the responsibility of the office?

17 A. The employee on duty is always responsible.

18 Q. And there is nobody who has the responsibi-
19 lity to see that the other employees perform their duties
20 at Cap St. Michel?

21 A. No, despite the fact that the temporary
22 employee looks after - I mean the permanent employee looks
23 after the supervision of the station. Now, in Sorel,
24 since the beginning of this year, we have had one of these
25 Transport Operation Clerks, Grade II, who has been
26 appointed in order to take over the responsibility of the
27 station in Sorel.

28 Q. Why?

29 A. Well, it was evidently, I guess, because
30 the Department thought it was advisable to have someone to



French 1 take over the responsibility, due especially to the fact
2 that the qualifications must be superior to those at the
3 station of Cap St. Michel which, after all, is only an
4 observation station. The Sorel station also looks after
5 the pilotage function to a certain extent, in addition to
6 the functions of the signal department.

7 Q. Would you have received a complaint about
8 the service in Sorel before the appointment of an employee,
9 Grade II, as a supervisor?

10 A. No, not to my knowledge.

11 Q. Who gives the instructions to the employees
12 of Sorel and Cap St. Michel? That is concerning their
13 work?

14 A. Either myself or our District Supervisor.

15 Q. Cap St. Michel is only an observation
16 station in the summer as well as in the winter?

17 A. Right.

18 Q. Now, you said that some pilotage work is
19 done in Sorel. What do you mean by that?

20 A. This means that we transmit to Montreal the
21 orders, requests which they receive for pilots from local
22 companies. It is only limited to that. They have no list
23 of assignments of pilots, and so forth.

24 Q. Does the pilot report to that station when
25 he arrives at Sorel or leaves from there?

26 A. They used to, but since, I would say, the
27 middle of August, 1961, no, because the station is a way
28 up in the clouds; therefore, I do not think that any pilot
29 is interested to go up there.

30 Q. Now, let us look at Three Rivers. How many



French 1 employees do you have there?

2 A. One permanent staff, probably, and five
3 employees.

4 Q. And do the shifts work starting from
5 midnight?

6 A. One employee on the night shift from
7 midnight to 8 a.m. We have a permanent employee who is
8 on the day shift from 8.30 to 5.05, except for the summer,
9 when he finishes work at 4 o'clock. We have a seasonal
10 employee who comes in at 8 o'clock in the morning until
11 4 o'clock at night.

12 Now, to cover the evening shift, one employee
13 will come in at 3 o'clock and will stay until 11 o'clock
14 at night and another will come in at 4 o'clock and leave
15 at midnight.

16 Q. So you have two seasonal employees in the
17 evening?

18 A. Yes. We have a double shift.

19 Q. Why?

20 A. Because we have noticed at Three Rivers
21 the overload of work because of particular circumstances
22 was scattered for the entire evening and this is in order
23 to improve the service. We felt it advisable to double
24 that shift.

25 Q. What do the Three Rivers employees do?

26 A. Of course, they do some of the work dealing
27 with the Signal Service and some work dealing with
28 Pilotage Service. They do both functions jointly.

29 Q. What are their functions dealing with the
30 Signal Service?



French 1 A. The observation of ships going by the
2 station, transmitting to the Montreal station the messages
3 coming either from the pilots or the ships, dealing with
4 obstructions to navigation or any message which could be
5 broadcast. After that, well, they will transmit to
6 Montreal different information dealing always with the
7 Signal Service, the height of the water, the tide at
8 Three Rivers, the temperatures.

9 Q. And as far as pilotage is concerned, what
10 are their functions?

11 A. Well, the despatching of pilotage and they
12 have their list of pilots being assigned.

13 Q. Now, is it Mr. Viau or yourself who is
14 aware of this question?

15 A. I think Mr. Viau.

16 Q. So I will refer this question to him. Now,
17 these employees at Three Rivers accomplish both functions
18 at the same time. Are they sufficient for that task?

19 A. I would say partially, because we are
20 limited in our means as far as distribution of staff is
21 concerned. Of course, we cannot double all the shifts.
22 There would be a lot of overtime and as we must follow,
23 of course, the instructions which we receive from head-
24 quarters, we have to face the situation with the staff at
2 25 our disposal and it is because of that that we have thought
26 it advisable to double only the night shift.

27 Now, I want to say that this is true for the
28 week. Now, during the weekend, the night shift is not
29 doubled. The employee is rather oriented to the morning
30 shift from 8 a.m. to 1 p.m.



French 1 Q. Why?

2 A. Because normally people go away during the
3 weekend and we find that there are not so many calls at
4 the Three Rivers station and therefore not so much work.
5 Nevertheless, the morning - I am talking about Saturday
6 and Sunday morning - the employees might put their assign-
7 ment sheets up to date and send their reports to Three
8 Rivers and Montreal - reports dealing with the pilots -
9 and it was difficult for one employee to do those two
10 things and answer the 'phone. This is why we thought it
11 was proper to double the morning shift.

12 Q. Now, the maritime circulation, how is it
13 during the weekend?

14 A. I know we have peaks sometimes.

15 Q. What is it at a given time during the day?

16 A. We have noticed that generally - and this
17 might be only coincidence - but there is a great number of
18 ships which are out during the weekend.

19 THE CHAIRMAN: We will now adjourn. Before we
20 adjourn, however, I would like to tell you that Friday we
21 will adjourn at 3.30 because certain persons, including
22 members of the Commission, have planes to take. We will
23 have to finish at 3.30 on Friday in order to be able to
24 take those planes. I want to advise you so that if other
25 persons have arrangements to make, they can rely on the
26 fact that we will conclude at 3.30 on Friday.

27 This will also conclude, while we are here, the
28 first part of our hearings in Montreal. We will be back
29 in Montreal, most probably, in September, but the date
30 has not been determined as yet. As soon as it is possible,



French

1 we will advise all interested persons of the date of the
2 next hearings. This is just for your information.

3 We will get in touch with you on that question.

4 MR. JACQUES: Can we say, your lordship, that in
5 September it will not be before the 9th of September?

6 THE CHAIRMAN: It will not be before September
7 9th, but we will talk about it at the end of this week.

8 We will adjourn now until 2.30 this afternoon.

9

10 --- Luncheon adjournment

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--- Upon resuming at 2.30 p.m.

MR. MONARQUE, continued

CONTINUATION OF THE DIRECT EXAMINATION BY MR. JACQUES:

Q. Now, Mr. Monarque, do those of the Signal Service and those of the Pilotage Service do their work separately?

A. We have inaugurated a policy of merger of the employees. This implies the employees have to qualify for Pilotage as well as for Signals. The policy was started the year before, and it was temporarily suspended last year, due to vacancies in the staff, and we started over again this year. Now, due to the number of persons which were employed and due also to the length of time of training, it is easy to understand that such a policy couldn't be completed within one year.

Q. According to the experience which you have had up to date with this new policy, do you have a more efficient employment of your staff?

A. Definitely yes. As a matter of fact I would dare to say that three employees have perfectly qualified for each duties, and effectively have been transferred to the Pilotage section and these three were beyond our hopes.

Q. Something different that you testified during your previous testimony, the staff which was available during the winter when a ship had to stay in the river, do you remember that you testified to this question?



1 A. Yes.

2 Q. You told us that a few hours before the
3 departure of the ship from Three Rivers, usually two hours,
4 there was someone at each station at least two hours before
5 the departure of the ship? Now, I have been informed that
6 the Department gives certain information to the pilots
7 before they go on board. Would you explain this procedure
8 to the Commission?

9 A. Let's take for instance when a ship is
10 scheduled to leave the oil docks in Montreal. The pilot
11 will get in touch with our office to find out the temper-
12 ature, visibility, and also if there are any obstructions
13 to navigation, such as ice, or any other kind of obstruc-
14 tions, and at that time the reports which have been comp-
15 iled at that time are given to him. This is also true of
16 Three Rivers, Sorel, and Quebec, according to the place
17 where the pilot goes aboard the ship.

18 Q. Now, have you ever been required to give
19 the same information to certain ship captains who would
20 navigate on the river without a pilot on board?

21 A. You are still talking about the winter
22 season?

23 Q. Yes, the winter season.

24 A. Well, I will tell you frankly I have not
25 been made aware of the fact that a ship could have naviga-
26 ted during the winter without a pilot on board.

27 Q. Thank you. Now I think that you have
28 prepared answers on the question of change in communication
29 of the Eisenhower Lock?

30 A. Oh, yes, this had to do with the change



1 which took place after a discussion meeting which we had
2 with the Seaway authorities concerning the teleprinter
3 machine which was located at Eisenhower Lock. It had been
4 decided during that meeting to leave up to me the choice
5 of the schedule to be established dealing with calls that
6 the Pilotage Office in Cornwall should make to the Eisen-
7 hower Lock, and give the information which should be
8 transmitted to us from Eisenhower Lock.

9 Now, following this decision, and after agree-
10 ment with Mr. Melanson, I have prepared a schedule, which
11 seems to meet the needs of our office in Montreal. This
12 schedule was then transmitted to Captain Edwards, the
13 District Supervisor in Cornwall, and this schedule has
14 been quite closely followed up to a certain time ago, I
15 would say up to about two or three weeks ago, when quite
16 suddenly headquarters intervened. I don't know following
17 which kind of pressure. I think this pressure was coming
18 from the Seaway, and our headquarters instructed us to
19 discontinue the provision of such reports which were trans-
20 mitted by Cornwall.

21 So, following discussions which I had with our
22 District Supervisor and the Regional Supervisor of Pilots,
23 it has been established that instead of asking Cornwall
24 to make nine calls on a twenty-four hour period to the
25 Eisenhower Locks, well, as we couldn't do any better, we
26 would have to be satisfied with three or four, which would
27 be better than nothing.

28 Q. Are these calls concerned with the move-
29 ment of ships?

30 A. Well, I mean the time when the ships



1 leave the Snell Lock downbound. This was quite important,
2 especially when we take into account the fact that several
3 of these vessels had utilized class A pilots when they are
4 out of the Seaway. Now, I want to underline the calls
5 made by Cornwall to the Eisenhower Lock didn't involve any
6 long distance expense, as we have a direct line between
7 both places.

8 Q. Now, the calls you receive to Cornwall
9 are limited to how many at the present time?

10 A. Now it is a minimum of three, maybe four,
11 but certainly no less than three, which means that on a
12 period of twenty-four hours we will receive reports every
13 five or six hours, which means also that it will happen
14 to us that a ship will be reported from Beauharnois before
15 we are aware of the time at which that ship left the Snell
16 Lock. This is due to the schedule which has been estimated
17 with five hours' delay. We can't get a report before.

18 Q. Are these reports useful in relation to
19 class A pilots?

20 A. Well, our information for the shipping
21 companies --- first because you might be surprised to know
22 to what an extent shipping companies get in touch with us
23 to know the hours of displacement of their ships, and
24 besides that the results, or the information which is
25 necessary for the Pilotage Office.

26 Q. Well, what we are interested in now is
27 specially by the pilots. I mean, the ship owner can al-
28 ways ask his captain to send him reports every hour and so
29 on.

30 Did the decrease in the number of calls from



1 Cornwall prevent you providing for a sufficient number of
2 class A pilots? You have mentioned class A pilots a while
3 ago.

4 A. Yes, this is true. Of course, this
5 requires a much more special attention, and, as Captain
6 Catinus mentioned before, there always are the possibili-
7 ties of error of Beauharnois, and I furnished you some
8 documentation on the more recent cases of errors which
9 took place, one of them being last Monday morning.

10 Q. Now, did you prepare some other extracts
11 of messages concerning the delays of ships in the Seaway?

12 A. I don't know if it is Friday, but I think
13 that I have mentioned to you that since the opening of
14 the Seaway we have always encountered bad will and a total
15 lack of cooperation from the Seaway Authority. Even that
16 last winter we had a meeting in which I took part in order
17 to try to clarify these points. There has been improvement
18 but the situation still is not satisfactory, particularly
19 from the staff of the Welland Canal.

20 Q. Could you explain that to us, please?

21 A. Well, it had been clearly understood with
22 the representative of the Seaway Authority, Mr. McKenzie,
23 that the lock masters would furnish us with reports within
24 a period of about twenty or thirty minutes. Of course,
25 this is a narrow margin, but especially from such a place,
26 which is so far away, we might go as long as two hours, but
27 over two hours it is too long, and I have compiled here
28 reports indicating that at seven and eight o'clock in the
29 morning when a ship left the lock at Port Weller the night
30 before ---



1 Q. But why do you need the time when the
2 ships leave the Welland Lock?

3 A. Well, of course, as I mentioned we might
4 not strictly need it to the same degree as we need it for
5 the time of departure from Snell Lock, but as the service
6 exists, and they must furnish the companies ---

7 Q. But as far as pilots are concerned do
8 you need this information?

9 A. Not really.

10 Q. You have said that the officer in charge
11 of Three Rivers also has a list of assignment of pilots.
12 Could you tell us what kind of information is given to the
13 Three Rivers Station to make it possible for him to keep
14 that list of assignments?

15 A. Well, we transmit to Three Rivers the
16 reports of ships which are passing in front of our office
17 at Sutherland Pier, and besides that, we try to give as
18 much information as possible by giving them at regular
19 intervals during the twenty-four hour period the lists
20 of prospects, or probable departure of ships, from the
21 harbour going downbound and this is valid for the evening
22 as well as for the night.

23 Now, we must take into account the fact that
24 we have a lot of difficulty to receive this kind of infor-
25 mation, because there are all sorts of delays, We receive
26 this information from the harbour master, and sometimes
27 the ships will be scheduled to leave at ten or eleven at
28 night, and sometimes the next morning it is still in the
29 harbour.

30 Q. How many times a day do you transmit this



1 information to the Three Rivers Station?

2 A. Starting with the day shift there, there
3 is now ten-thirty in the morning, four o'clock in the
4 afternoon and about eight o'clock in the evening, slightly
5 after midnight and I would say around seven o'clock in
6 the morning. If you want to give me a few minutes, I
7 think that I have some examples of those messages here.
8 I have one here for the 9th, which is yesterday, and also
9 the same for the 8th.

10 Q. Now, on these documents how can we say
11 that this is addressed to Three Rivers?

12 A. Well, you see the call letters on the
13 top, the letter R represents the Pilotage Station at
14 Three Rivers, and you will find the letter R on all the
15 messages.

16 MR. JACQUES: May I produce this as exhibit
17 number 550?

18

19 --- Exhibit No. 550: Example of messages
20 transmitted to the
21 Three Rivers Station.

22

23 THE WITNESS: I have some here for some other
24 days.

25 MR. JACQUES: One day will be sufficient.

26 THE WITNESS: I also have some here for the
27 Cornwall Pilotage Station. Maybe you would like to add
28 to this copies of reports which are transmitted during
29 the day to the Three Rivers Station indicating the assign-
30 ments of pilots.

30 Q. Just a minute. We have not reached that



1 station yet. We were discussing information which you
2 transmit to Three Rivers. Now Sorel?

3 A. As I mentioned this morning there is no
4 dispatching done in Sorel.

5 Q. Do you transmit the prospects to Cornwall?

6 A. Yes, but in the same manner, although to
7 a slightly lesser degree, because there is not so many
8 ships, but the basic principle is the same exactly. I
9 have here a copy, which is similar to the ones I gave you
10 a while ago.

11 MR. JACQUES: My lord, do you think I should
12 file a message sent to Cornwall giving the prospects for
13 the day? The basic principle is the same as the one which
14 applies for Three Rivers.

15 THE CHAIRMAN: Therefore it will not be nece-
16 ssary.

17 Q. Who looks after these assignments?
18 Is it yourself or Mr. Viau?

19 A. No, Mr. Viau, the Chief Dispatcher.

20 MR. JACQUES: Thank you, sir. Your witness.

21

22 CROSS-EXAMINATION BY MR. LALONDE:

23

24 Q. Mr. Monarque, you have mentioned the
25 fact that you receive reports from pilots concerning dis-
26 placements of buoys, or breakdowns of navigational aids.
27 Is that right?

28 A. Yes.

29 Q. Do you receive information also about
30 ships which are navigating on the river without any pilots?



1 A. Yes, but to a lesser proportion.

2 Q. You also have mentioned that you were
3 sending messages about breakdowns of navigational aids,
4 and different breakdowns of buoys, and so forth, from the
5 Marine Agent. Do you receive information during the week-
6 end?

7 A. Yes, the same information, but it is
8 required that when buoys are reported to us as being out,
9 or not functioning properly, during the weekend, we know
10 beforehand that the reports will not take place before the
11 Monday, and for that reason these buoys will be reported
12 on our broadcasts.

13 Q. You say therefore that if a breakdown is
14 reported on a buoy on let us say the Saturday afternoon
15 your Department knows that the repair will not take place
16 before the Monday?

17 A. This is true.

18 Q. This means that for the entire weekend
19 you have broadcasts advising the ships that the buoy is
20 out of order, until Monday. On Monday you will call again
21 in the late afternoon to verify if the buoy has been
22 repaired, which means that you could have a breakdown in
23 buoys which could be reported at noon on Saturday, and
24 you would be aware of the repairs being made to those
25 buoys about five o'clock Monday?

26 A. This is quite true.

27 Q. And if it is a long weekend with a little
28 holiday on the Monday like last week?

29 A. Yes, it would be possible. It would be
30 until the Tuesday, because we take it for granted that the



1 employees who do repairs at Sorel, they are under similar
2 conditions to us, and we know they are on holiday.

3 Q. So, for two days and a half you will send
4 broadcasts advising ships that there has been a breakdown
5 of a particular buoy?

6 A. Yes, absolutely.

7 Q. Has it already happened that during the
8 weekend pilots would have reported that the buoy had been
9 repaired, according to your knowledge?

10 A. Yes, I would say yes. This has taken
11 place, and I will tell you why. During spring, during
12 the weekends, the ice breakers function, so if an ice
13 breaker happens to pass by a buoy which had a breakdown
14 it will replace it if it has been displaced, or if it can
15 do so it will repair the buoy.

16 Q. In such cases I suppose that you verify
17 your broadcasts immediately?

18 A. Well, normally the captain of the ice
19 breaker will send a message to our office to make us aware
20 of the repair, or the relocation of the buoy.

21 Q. You said that this phenomenon takes place
22 only when the ice breakers are circulating on the river?

23 A. Yes, because normally the crews of the
24 government ships are under the same regulations as we,
25 and they are on holiday at the same time as we are.

26 Q. So, during the regular navigation season
27 you do not receive reports of repairs of buoys during the
28 weekend, for the good reason that according to you no
29 repairs are taking place?

30 A. No, if let us say I would say that from



1 the end of April, the beginning of May to the end of the
2 season, we never receive such reports, because in the
3 beginning of May, I know there is a lot of work being done
4 during the weekend in April, because of the great number
5 of buoys reported displaced by the ice which is moving
6 down.

7 Q. How long have you been in charge of the
8 Signal functions?

9 A. Since March 1952.

10 Q. And this is the programme that has been
11 followed all the time you have worked there?

12 A. Yes, this is all I can remember.

13 Q. You have produced exhibit number 547,
14 which gives a list of ships which have anchored, and the
15 time at which they have anchored, the time at which they
16 leave anchorage and also a list of buoys which are out of
17 order. I see that in the column before last of this
18 exhibit there is mentioned time and date.

19 Now, is that the time and date at which the
20 fact that the light was out of order has been reported to
21 you?

22 A. This is true.

23 Q. The last column reads check when reported
24 repaired, and I don't see any mention of any time in this
25 column.

26 Is that the column where normally the time when
27 the repair is reported is written?

28 A. Yes, inasmuch as such time is given to us
29 habitually. It is not given to us. We are just told that
30 this has been repaired, and that is all, but we are not



1 told when it has been repaired.

2 Q. And you don't include in this column the
3 time when you have been informed of the fact that the
4 repair has taken place?

5 A. No.

6 Q. And the mention of the dates and of the
7 year, this refers to the first column? Therefore, you
8 have no mention concerning the second column?

9 A. No, but it is possible to verify this
10 according to our broadcasts.

11 Q. Now, I see that there is a certain number
12 of vessels of which you have not obtained the hour or the
13 time at which they have left after having entered at a
14 given place on the St. Lawrence River. You have told us,
15 I think, that the normal procedure would be to advise the
16 ship's master or the pilot who tell the radio telephone
17 station --- or is it simply a radio station?

18 A. Well, it is a coastal radio station.

19 Q. Will the ship tell the radio coastal
20 station of the hour of their departure?

21 Q. Yes.

22 Now, these radio coastal stations can
23 communicate easily enough with the ships; is that not
24 true?

25 A. No, because I know very well from having
26 talked with the employees of the coastal station of
27 Montreal and those of Three Rivers that they are overloaded
28 with work and on many occasions the pilots have reported
29 that they have a great deal of trouble contacting those
30 radio stations. So this was to explain the effect that



1 reports are not made about the departure of ships which
2 were anchored.

3 Q. Those coastal radio stations fulfill many
4 duties; is that not true?

5 A. As I mentioned this morning, those stations
6 must jointly pass our traffic as well as the commercial
7 traffic.

8 Q. What do you mean exactly by "commercial
9 traffic"?

10 A. In the last analysis, any traffic that a
11 company or an individual would like to have with a vessel.
12 You would take the case, for example, of a person who
13 would have a relative on board an "Empress" --- or, let
14 us say, an Empress express --- and he would like to send
15 a message to that person because of a death, or some such
16 thing, and this message would be sent by our coastal
17 radio station.

18 Q. So in the last analysis, is it not any
19 message that a person would like to send to a passenger
20 aboard?

21 A. Yes.

22 Q. It might be, for example, a welcoming
23 telegram into the country, and so forth?

24 A. Yes.

25 Q. Now, you would have exactly the same
26 phenomenon, for example, if a representative of a shipping
27 company in Montreal would want to send a message to the
28 ship which he represents?

29 A. Yes.

30 Q. Do you know if the messages addressed to



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1 passengers on board a ship are frequent and numerous?

2 A. I couldn't tell you because as you know we
3 have no means of controlling that.

4 Q. Are you aware that at the same time there
5 are many passenger boats which are moving on the St. Law-
6 rence River at certain times of the week?

7 A. Yes. While I was on seasonal work myself I
8 saw a day where there were perhaps four or five passenger
9 boats at the same time on the river.

10 Q. Now, do the coastal radio stations have some-
11 thing to do with air navigation? Do they transmit messages?

12 A. I couldn't tell you. I do not know any-
13 thin about that.

14 Q. How many employees stay at the coastal radio
15 station on duty? Is there only one employee?

16 A. Naturally, I am talking according to the
17 different conversations I have with the employees?

18 Q. Have you ever seen a radio coastal station
19 where there was only one employee on duty?

20 A. Yes, but not always one employee.

21 MR. JACQUES: May it please the Commission, I
22 would not like the Commission to be led to a misunderstand-
23 ing by testimony or evidence of persons who might not be
24 qualified. I do not know if the witness is competent or
25 qualified to answer these questions. If the Commission
26 would like to have explanations about the operation of
27 coastal radio stations, we can call upon a member of the
28 staff of the Telecommunications Service of the Department
29 of Transport.

30 THE CHAIRMAN: I think that what we have heard



1 up until now or this morning was enough.

2 Q. You might testify about what you have
3 seen yourself?

4 A. From having talked with employees of the
5 station.

6 Q. Is it not true that the person who is
7 responsible for these stations must see to the operation
8 of the telegraph key?

9 A. Yes.

10 Q. And that, moreover, that person must also
11 be concerned with the different radio communications with
12 ships on different frequencies?

13 A. Yes. He must also answer the phone.

14 Q. Is it not true also that this person at
15 the station is also responsible for teletype service?

16 A. Yes.

17 Q. If one includes all commercial messages
18 that a person at the radio must make in the course of a
19 day, there are also all the messages that your Signal
20 Service asks to transmit by radio?

21 A. Yes.

22 Q. Does that person receive also all the
23 E.T.A.'s of the vessels?

24 A. Yes. They must transmit them, not only
25 to us but to Three Rivers and Quebec.

26 Q. And naturally you have all the communica-
27 tions with pilots insofar as a breakdown in aids to
28 navigation and so forth --- obstructions?

29 A. Everything that has to do with navigation.

30 Q. You say that you have received many



1 complaints from the pilots because they had trouble obtain-
2 ing communication at times with the person responsible for
3 these coastal radio stations?

4 A. Yes. The District Supervisor may sub-
5 stantiate what I said.

6 Q. Did you also receive some complaints from
7 responsible persons at the radio station to the effect
8 that they had too much work to do and that they could not
9 transmit all the calls or communications as they arrived?

10 A. I had nothing official or written about
11 that but this stems from my talks with the employees of
12 the stations.

13 Q. So those employees have complained to you?

14 A. Yes. They told me that they were over-
15 worked and those of the Montreal radio station told us
16 that after many repeated pressures the authorities agreed
17 to add one employee to their staff on one shift.

18 Q. In the light of such facts, do you believe
19 it would be advantageous to have a radio telephone service
20 direct between the pilots and the Pilotage Station or if
21 the service can simply be improved by an increase in the
22 scope of the effective communications?

23 A. The ideal, eventually, is the one on trial
24 at the present time in our office, direct radio telephone
25 from our office, allowing us to contact at all times and
26 whenever we wish either one pilot or a vessel.

27 Q. Could such a service be installed or put
28 into operation on the whole St. Lawrence River?

29 A. Easily, yes.

30 Q. Since when has this trial you are talking



1 about been started?

2 A. I think that it started by the end of
3 May.

4 Q. Do you think that this experiment was
5 satisfactory up until now?

6 A. Yes, at all times, anytime. Our pilots
7 are very happy about it because they were exempted many
8 delays or errors or mistakes.

9 Q. Did the pilots make comments about it?

10 A. Yes. When I came here this morning I was
11 with a pilot and he himself was saying how happy they were
12 with the system.

13 Q. According to that new system which you
14 have installed there is a special frequency which is for
15 the pilotage station?

16 A. Yes. I would say on channel 11, which
17 allows us to talk with the pilots, who, in turn, have their
18 portable radio telephone, or frequency 156.55. There is
19 also another frequency which allows us, if the pilot is
20 on board a ship, to speak directly to that pilot and it
21 is frequency 12 or, rather, channel 12, frequency 156.6

22 Q. Mr. Jacques read a letter from Captain
23 Gendron, aiming at diminishing the length of messages of
24 teletypes for radio broadcast?

25 A. Yes.

26 Q. I saw that there were instructions which
27 consisted in stopping to indicate the position of many
28 ships when they are anchored, but to indicate, for example,
29 that there are x-number of ships in a given area which are
30 anchored. Did you receive some complaint on the part of



1 pilots because of this modification of instructions?

2 A. No. You were mentioning Captain Gendron.

3 I would like to state that recently this year we received
4 a letter from our headquarters, signed by the Pilotage
5 Superintendent, and that letter was requesting to decrease
6 the length of those messages as well, or to shorten them.

7 Q. Can you testify in any way --- and if you
8 cannot, tell us so --- can you testify about the difficul-
9 ties that might cause to navigation, the shortening of
10 messages; that is, difficulties to navigation and pilotage,
11 the reduction in the length of messages on teletype and
12 particularly for the case of ships anchored in the fog?

13 A. Naturally I must tell you that even if
14 we have received such instructions, personally I encourage
15 the staff not to rely entirely upon those because as I
16 always say to my employees, in order to put ourselves on
17 the safe side we should always give the exact position of
18 vessels and we must put ourselves in the shoes of pilots
19 or ship masters in order to find out if we would not be
20 interested in receiving such information.

21 Q. I apologize for the authorities. Perhaps
22 that is the reason why you did not receive any complaints
23 from the pilots. I am told that if you enforced the by-law
24 you would receive complaints?

25 A. But I would like to specify that it is
26 only in the case of anchored ships where the list is rather
27 long. Aside from that, the regulation is entirely enforced.

28 Q. You have mentioned in your list of
29 employees that you had eighteen employees in Montreal,
30 five at the Signal Station and six at the Pilotage Station,



1 which gives us a figure of eleven and the others are
2 secretaries?

3 A. Yes. The others are secretaries or
4 employees who are working in the accountancy department.

5 Q. So you have included in that figure the
6 accountant and the joint accountant?

7 A. Yes. But if we have seasonal employees,
8 we have eleven at the Montreal Office.

9 Q. We are speaking about employees. How do
10 you hire your employees?

11 A. Whenever there are vacancies, or whenever
12 we foresee any, well, the established tradition was for
13 us to send a requisition to the local office of the Civil
14 Service Commission in order to establish the list of
15 eligibility in order to fill those vacant posts and this
16 system prevailed up until the beginning of 1961. So at
17 the start of 1961, it is regrettable to say so, but we met
18 with difficulties. Naturally, I wouldn't want to blame
19 anyone because I know that our headquarters have their
20 hands bound by the by-laws of the Civil Service, but as
21 we were at the other end of the line, naturally we suffer-
22 ed slightly from the decisions or the delays that occurred
23 for that. But, the normal procedure was such that we were
24 requesting the Civil Service Commission to organize public
25 competition and afterwards the Civil Service Commission
26 was organizing what is called a Screening Board which
27 would eliminate the least important candidates. Then
28 those who remained who were scheduled based on typing and
29 the requirement was twenty words a minute and the success-
30 ful candidates were later on called for an interview where



1 I went myself, and the candidates who got the best results
2 were asked to fill up the positions.

3 Q. I see that you are speaking in the past
4 tense. What happens now? What is the system? Is selec-
5 tion still made in Ottawa?

6 A. Well, no, not in Ottawa. Here. But, by
7 eliminating, let us say, the period extending from June
8 26th, 1962, the beginning of the austerity programme, we
9 have met with difficulty because at a given time we received
10 from Ottawa the order to the effect that at some stage
11 Ottawa was going to supervise the hiring of staff. So,
12 this started with the beginning of the navigation season
13 of 1961.

14 Q. And this practice is still implemented?

15 A. Yes. We still meet with difficulty and
16 recently we had such difficulty that we had to hire a
17 secretary for the District Supervisor.

18 Q. Difficulties because they give rise to
19 delays?

20 A. Yes, of course. In 1961 I personally
21 contacted the Pilotage Superintendent, Captain Jones and
22 the Regional Superintendent when they visited frequently
23 in Montreal. So, I met them about the organization of a
24 public competition. Now, I was always told that everything
25 was being looked after and that we would reach results
26 and so forth. So we started the season with vacancies
27 and effectively we could not fill these vacant posts
28 before the end of July, if I remember correctly.

29 Q. Do you think that the procedure with the
30 choice was faster and accelerated, and so forth?



1 A. Yes, because we had more leeway on the
2 local basis.

3 Q. Now you no longer take part in the selec-
4 tion of your staff?

5 A. No, but I see that they are hired according
6 to Civil Service Regulations 24 and 88.

6 Q. Do you have a turnover of staff?

7 A. I have with me a document which I will
8 read. On September 5th, 1962, I submitted a report to the
9 Regional Superintendent of Pilots about our difficulties
10 and the difficulties we had in the field of the staff and
11 in that report I mentioned the list of employees who came
12 to our office and worked at our office for a period of
13 five years.

14 Q. You mean that they stayed there for a
15 period of five years? That is to say that during the
16 period of five years a number of employees did work there?

17 A. Yes, and the number of problems we had
18 to face in the course of that period --- six years, rather.

19 Q. What was the overall result of that letter?

20 A. Well, in the course of six years we had
21 to train twenty employees solely for the Montreal station.

22 Q. And you have a total of eighteen employees
23 at that station?

24 A. Naturally, we take into account all the
25 seasonal employees and eliminated all the accounting and
26 secretarial staff. In the number of twenty that I mentioned
27 exclusively for seasonal employment or positions, there
28 are eleven in Montreal.

29 Q. So in six years you have twenty persons
30 who worked at eleven different positions?



1 A. Yes.

2 Q. And you say that it may take two months
3 plus a year and a quarter, a year and a half, in order to
4 train a person?

5 A. Yes.

6 Q. Can you calculate that over this period
7 of six years you had one seasonal employee who was truly
8 trained especially to occupy a position because of that
9 turnover?

10 A. No. In the number I mentioned, I did not
11 mention employees who stayed for a long while. Some left
12 after a month, for different reasons. In order to give
13 you an idea of the difficulty that we faced in the selection
14 of qualified staff in the course of the past three years,
15 I personally had to look after the hiring of the staff,
16 with the help of the local Civil Service, and I must tell
17 you that last year out of thirty-two candidates we found
18 only one person suitable out of those thirty-two and the
19 preceding year, 1961, out of sixty-four candidates we
20 found only two candidates that were suitable or qualified.

21 Q. What are the wages of these temporary
22 employees?

23 A. Well, the wages vary from a minimum of
24 \$3,210.00 to \$3,660.00. This is figured in terms of the
25 year and the employees are paid only for the months they
26 work during the season. They work only nine months out
27 of twelve. They will be paid nine-twelfths of the annual
28 wage I mentioned.

29 Q. So your temporary employees work only
30 nine months out of twelve, in general?



1 A. Yes. Naturally we must add to the nine
2 months about ten days of annual leave.

3 Q. Now, due to the situation of unemployment
4 in Quebec and in the rest of Canada, especially in the
5 winter, these people must use their unemployment insurance?

6 A. Yes, all those who are eligible. They
7 are not eligible for unemployment insurance. An employee
8 is disqualified as soon as he contributes to a pension
9 fund, which means after a period of two years.

10 Q. So, to a certain extent, an employee will
11 find it advantageous to remain as a seasonal employee and
12 not to work for you for more than two years?

13 A. We have employees --- I do not mean
14 employees in the wide sense of the word --- but we have
15 some who remain seasonal employees for a number of years,
16 coming and contributing to the unemployment insurance fund,
17 because they have refused a permanent position or rather
18 a seasonal permanency. This indicates that they have
19 refused to contribute to the pension fund.

20 Q. Don't you think one of these reasons was
21 that they wanted to have the right to receive unemployment
22 insurance?

23 A. Yes.

24 Q. Do you not think that one of the main
25 factors in the problems you face in the administration of
26 your service at the present time is the wage conditions
27 of your employees?

28 A. Well, I have here certain notes which
29 were used during the public competitions that the Civil
30 Service Commission had made. So I have a note of different



1 candidates and I can tell you and you may see it for
2 yourself that many candidates were through with their
3 application as soon as we mentioned the salary paid and
4 the working conditions.

5 Q. If I understand correctly you mentioned
6 a minimum wage of \$3,210.00 and up to \$3,660.00. This
7 would represent an annual wage of \$2,430.00, including
8 unemployment insurance benefits?

9 A. Yes.

10 Q. Did you make any pressures in order to
11 obtain a reclassification of the different positions under
12 your jurisdiction or were there any discussions about that?

13 A. On many occasions I have discussed this
14 problem with the Regional Superintendent at that time,
15 Captain Gendron. I have discussed also this matter when-
16 ever I visited the headquarters in Ottawa, with the
17 Director of Staff, the Assistant as well as his represen-
18 tative. I have discussed this matter with Captain Catinus
19 and I spoke about that with Mr. Melancon, the District
20 Supervisor. I must admit that our headquarters have done
21 something by appointing clerks of shipping, grade two,
22 in order to render this position more attractive to
23 applicants.

24 Q. Do you think that at the present time
25 the position has a satisfactory remuneration in terms of
26 the responsibility they must assume?

27 A. No, sincerely not.

28 Q. To many questions you have mentioned that
29 the authorities of the Department had advised you or had
30 given you instructions and you were acting then under



1 instructions to reduce the supplementary time or the over-
2 time or to avoid hiring supplementary help?

3 A. Yes. I concurred entirely with our head-
4 quarters because sometimes there was quite a good deal of
5 overtime because I have certain payrolls here with me.

6 Q. Independently --- or, let us admit that
7 the overtime policy is no good. To your mind could there
8 be an increase in the number of employees at the Signal
9 Service and especially so in the case of Three Rivers?

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1 A. Well, the case of Three Rivers is
2 quite special, because in the last while -- I have no
3 secrets from you, and I am going to tell you what I said
4 myself in Three Rivers when I visited there at the be-
5 ginning of June. The Senior Clerk Mr. Beaumier told
6 me about the difficulties he faced, and myself and the
7 Regional Superintendent, we know very well that it is
8 possible to increase the qualifications of employees
9 over there, so I personally told Mr. Beaumier to see to
10 it that he should increase the qualifications of the
11 staff, and then afterwards he might complain to the
12 authorities.

13 Q. To obtain what? Better wages, or bet-
14 ter staff?

15 A. Either to obtain a better wage, and
16 for example they should appoint a clerk Grade 2, or
17 to obtain some additional staff.

18 Q. Do you think that the presence of only
19 one clerk during the night in Three Rivers is adequate
20 in order to assume all the duties that are required
21 from that person, and during the weekend as well?

22 A. Naturally you are talking about night
23 employees. Well, I think so.

24 Q. You think what?

25 A. I think that a qualified person can
26 certainly fulfill all the different duties without being
27 overworked.

28 Q. Were you ever present one night to see
29 an employee at work in Three Rivers?

30 A. No, never.



1 Q. Now, is it not true -- I think you
2 answered this question, I am not sure. However, is it
3 not true that during the weekend the traffic passing in
4 Three Rivers may be heavier than at any other time during
5 the week?

6 A. Well, I mentioned that fact, not especial-
7 ly in respect to Three Rivers Station but for all stations
8 this applies, to Montreal as well as Three Rivers.

9 Q. Well, do you think that only one em-
10 ployee during the weekend at Three Rivers at certain
11 hours is adequate in order to fulfill his duties? That
12 is to say, there are two tasks, for example, that of the
13 signals and that of the despatching of pilots?

14 A. I must tell you something, that I never
15 went to Three Rivers on the weekend in order to find out
16 what the conditions there were, but I can tell you that
17 the traffic of teletypes passing through Three Rivers
18 comes also in our office, so if I can rely on the
19 traffic on the teletypes I think that generally speaking
20 a qualified employee in Three Rivers could certainly
21 face everything. You must take into account, if you
22 are out in business, a clerk may spend hours doing
23 nothing, and suddenly there will be a great number of
24 customers, and at that time the clerk is overloaded,
25 but that doesn't mean that he is always overloaded with
26 work.

27 Q. You have never made a personal survey
28 on the spot in those places?

29 A. No, I have been in Three Rivers in many
30 circumstances, and I have been in a position to see



1 personally the time which is lost, and the observations
2 that I am making come from those visits.

3 Q. Is it not true that the teletype would
4 take no account of all the phone calls and radio messages
5 which would be exchanged?

6 A. This is true, but this great loss of
7 time, I have discussed it with pilots and Mr. Beaumier,
8 and the clerks there. This may be due to the familiarity
9 of the clerks in Three Rivers with everybody.

10 Q. Now, do you think that the Three Rivers
11 station should have the same staff as the Quebec station,
12 or are there any reasons why there should be less staff
13 in Three Rivers than in Quebec?

14 A. Well, definitely I don't see why you
15 mention Quebec more than Montreal. If you compare Three
16 Rivers with Montreal it might be better for me.

17 Q. So you don't know the operation in Quebec?

18 A. Not sufficiently to make a comparison,
19 no.

20 Q. So if you compare Three Rivers with
21 Montreal, which you certainly know, do you think that the
22 staff in Three Rivers is a sufficient number, if you com-
23 pare it with Montreal, taking into account the workload
24 for that staff?

25 A. Well, as I said before, my convictions
26 are based first on the fact that the staff in Three Rivers
27 could in accordance with its qualifications, and after that
28 I think that we could make more exact observations as far
29 as their capacity is concerned according to the functions
30 which they have to fulfill.



1 Q. Did you ever have complaints during the
2 year 1962 about the fact that some clerks, maybe by reason
3 of their lack of experience, or that some pilots were sent
4 from Three Rivers to Montreal, or from Montreal to Three
5 Rivers, in great numbers, and when they were not needed,
6 taking into account the maritime circulation which could
7 have been forecast at the time of such requests?

8 A. Yes, sir, and often.

9 Q. Did you make any investigation of this?

10 A. Well, I didn't personally conduct any
11 investigation, but I know that in certain circumstances
12 the District Supervisor and the senior pilotage clerk have
13 looked after these cases, and in several cases have de-
14 creased the number of pilots that were requested. I have
15 been aware of those instances.

16 Q. But this is a correction afterwards,
17 after the pilots have moved?

18 A. No, it was before.

19 Q. Did you have any complaints of transfers
20 of pilots which were useless?

21 A. Oh, yes, oh, yes. In certain cases the
22 complaints have arrived to us afterwards.

23 Q. Weren't those complaints quite frequent
24 in certain periods?

25 A. Well, before the middle of last year's
26 season, yes.

27 Q. There have been some explanations which
28 have been given between this new clerk in Three Rivers,
29 the District Supervisor, the Regional Supervisor, and
30 the Senior Clerk of Pilotage for Montreal, I think, and



1 according to the opinion of several pilots there has been
2 quite an improvement in the situation, and since the
3 beginning of this year the situation has improved even
4 more.

5 Q. Wasn't it a practice before that the
6 clerks had to report to work one hour before the start
7 of their shift, in order to familiarize themselves with
8 the messages which could have arrived during the pre-
9 ceding shift, or during the preceding day?

10 A. Yes, this is true.

11 Q. I understand that this practice has been
12 discontinued?

13 A. Well, because this practice involved
14 overtime we had to, following instructions which we re-
15 ceived, to do away with it.

16 Q. Did you take any measures to compensate
17 the inconvenience which could arise from the abolition of
18 such a practice?

19 A. Yes. If you still have in mind the
20 station of Three Rivers, I have shown a while ago on
21 the schedule that we have doubled the evening shift,
22 and this is the reason why the second man is reporting
23 at three o'clock in the afternoon, in order to take care
24 of the situation in cases like right now, when the
25 senior clerk is sick, well, we have an employee -- we
26 can advise the other one of what took place before he
27 came in.

28 Q. You had the same practice before in
29 Montreal?

30 A. Yes.



1 Q. Did you take any measures to compensate
2 for the abolition of that practice?

3 A. No, and there are no measures to be
4 taken. I would not recommend it, and I will tell you
5 why. Before our seasonal employees had to take one
6 hour for their meal, whether it be lunch or supper, and
7 now our headquarters, because of the fact that the office
8 is quite isolated, it is not practical for employees to
9 go outside for their meals in the short time they have,
10 and taking into account that most of them were having
11 their meals in the office, the Department is paying
12 for their hours and this compensates for the time of
13 fifteen minutes when the employee has to remain at the
14 change of shifts.

15 Q. Do the employees remain for a few
16 moments when the shift is over in order to advise the
17 man who arrives of what has taken place in the previous
18 shift?

19 A. Oh, yes.

20 Q. You don't have to ask them? They do it
21 with pleasure?

22 A. Oh, yes, they do remain.

23 Q. You supervise this yourself?

24 A. No, not supervise in the full sense of
25 the term, but I am aware of this, because I see them on
26 the spot and I hear the explanations which they give to
27 those who come to replace them.

28 Q. And you have not had any complaints on
29 this question?

30 A. No, never.



French 1 ---Short recess.

2
3 CROSS-EXAMINATION BY MR. LANGLOIS

4 Q. Mr. Monarque, your teleprinter station
5 here, is it still employed as a master station?

6 A. Yes.

7 Q Do you still have the use of a control
8 button to interrupt and stop the broadcast of secondary
9 messages?

10 A. No, and I refer you to the testimony of
11 our Regional Supervisor yesterday, to the effect that we
12 do not have this device since about a month and a half
13 or two months.

14 Q. What is the reason for the discontinua-
15 tion of such device?

16 A. That is a decision which was made with-
17 out our knowledge, and you can't explain the real reason.

18 Q. Who had made this decision?

19 A. Well, by our headquarters.

20 Q. What was the consequences of the dis-
21 continuance of such a control device?

22 A. I have here a letter written in March
23 1963 by our Pilotage Supervisor to the effect that
24 Montreal is the monitor station of teleprinter circuits
25 for the use of pilotage, so how can we be monitors of a
26 teleprint or circuit when we can't see by ourselves what
27 is taking place on such a circuit? The device which
28 we are talking about was making it possible for us to
29 open the circuits at all times to check if the stations
30 which were utilizing the circuits were following the



French 1 regulations, and also it was making it difficult for us
2 if the circuit was loaded at the time of our broadcasts
3 to interrupt any station that was using the circuit in
4 order to broadcast our messages. Now we are in a
5 position where at the time when we have to broadcast our
6 messages we can't some times use any of the two circuits
7 and because of this it happens, I wouldn't say quite
8 often, but it happens some times, that the five minutes
9 that is reserved for our broadcast would go by without
10 us having the possibility of broadcasting our messages
11 as we should.

12 Q. So what happens if your broadcast is
13 not on at the scheduled time?

14 A. Well, of course I see and I have ad-
15 vised the employees that when they can't send the broad-
16 casts, because I mean on the circuit No. 999, which is
17 Montreal to Seven Islands, and for the Montreal-Quebec
18 broadcasts, to call by phone the Montreal radio station
19 and to give them the messages to broadcast, but it
20 happens that because of the overload of work it is quite
21 difficult even by phone to contact the Montreal coastal
22 radio, and it happens some times, I specify that this
23 is some times, that the broadcasts aren't made.

24 Q. They are not only delayed, they are not
25 made at all?

26 A. No, not at all.

27 Q. So, if the captain or the pilot aboard
28 a ship ---

29 A. Now, if you will excuse me, I want to
30 specify that if it happened there was an urgent



French 1 obstruction, our clerks on duty have to make long distance
2 calls to communicate those messages, especially to the
3 Three Rivers District.

4 Q. Does this happen often?

5 A. No, I said some times a while ago, but
6 this is rare.

7 Q. If the captain or a pilot of a ship is
8 interested to listen to your broadcast of 4:55, and then
9 he goes to the radio office aboard the ship and there is
10 no broadcast, he can lack valuable information?

11 A. Well, I know by experience that the radio
12 stations still broadcast a message. What they do, they
13 just copy the previous one.

14 Q. But if something new happened in the
15 meantime, if there is any additional information?

16 A. Well, as I mentioned a while ago, our
17 clerks must make long distance calls on such occasions.

18 Q. Now, in Exhibit 547, which you have
19 produced this morning, which is a specimen of your forms
20 of reports of reception of messages dealing with navi-
21 gational aids, I don't see any column concerning buoys
22 which have been displaced. I am talking about a title
23 for a column.

24 A. Well, of course, I will admit that the
25 heading of that column doesn't specify it, but usually
26 we enter in that column the buoys which have a failure
27 of light, or other as well as the displaced buoys.

28 Q. So, therefore, those columns give any
29 information about displaced buoys or navigational aids
30 and lights not working, and so forth?



French 1

A. That is true.

2

Q. You mentioned a while ago that you are

3

not a very qualified witness to give information on

4

coastal radio stations, but could you tell the Commission

5

what is the site of those stations? Let us start

6

with the Montreal Coastal Radio Station. Where is it?

7

A. It used to be at Montreal North and now

8

it has been transferred to the Montreal Airport.

9

Q. And it is operated by airport employees?

10

A. Well, I know that they are telecommuni-

11

cation employees.

12

Q. Now the Three Rivers, Cap de la

13

Madeleine, where is it?

14

A. Well, the Cap de la Madeleine Coastal

15

Radio Station, the one in Quebec, is at Loretteville

16

Airport, but I have never seen the Quebec one.

17

Q. Do you know where is the Mont Joli

18

radio station?

19

A. No, I have never gone to the South

20

Shore.

21

Q. Is it not at the Mont Joli airport?

22

A. Oh, yes.

23

Q. Seven Islands, isn't that a private

24

station?

25

A. Seven Islands I don't know. You see,

26

the only relations which we have with Seven Islands

27

Coastal Radio Station has to do with the transmission

28

of the ETA of ships at Les Escoumains.

29

Q. Now, do you have under your control

30

Riviere aux Renards?



French 1 A. Yes, the one at Seven Islands would be
2 under the jurisdiction of Quebec so far as regional
3 broadcasts are concerned.

4 Q. You have talked about the difficulty of
5 certain ships to contact and transmit messages to your
6 coastal stations. Is it not a fact that such a situa-
7 tion exists to a higher degree in Montreal than in
8 Quebec?

9 A. Well, I think I have mentioned that I
10 can't say exactly to what extent, but the reports which I
11 have I have from conversations, or reports which have
12 been made to me by pilots and employees of the Pilotage
13 Stations of Montreal, Three Rivers and Quebec to the
14 effect, well, mentioning rather the overload of work
15 which is imposed upon these employees, but I am not
16 qualified to say any more on this question.

17 Q. But if I understand properly, the
18 difficulties to having the coastal stations receiving
19 messages from the ships, come from the excessive volume
20 of traffic?

21 A. From what I have been told, yes.

22 MR. JACQUES: Gentlemen of the Commis-
23 sion, I would not like to see this witness put in a
24 position where he has to give answers on facts which
25 aren't of his personal knowledge, and especially on
26 a sector of the Department of Transport which is not
27 under his jurisdiction.

28 If the Commission wishes, we will call
29 in the persons who are in charge of these radio stations,
30 so that they can testify. I think it is my duty to make



French 1 this intervention, to make sure that the Commission
2 receives only first-hand information, which is as exact
3 and as accurate as possible.

4 THE CHAIRMAN: Now, the witness has
5 mentioned on many occasions that as far as those stations
6 are concerned he is not aware of the facts, and this
7 is not under his jurisdiction. If it appears from
8 other testimony that there might be some difficulties
9 for pilots or seamen to transmit their information or
10 their requests, we will probably have to find out why,
11 and according to the evidence we will see what we have
12 to do.

13 MR. LALONDE: Your lordship, the
14 pilots certainly will complain about the difficulties
15 which they have to get in contact with coastal radio
16 stations under certain circumstances, and there will be
17 testimony to that effect, so if you want to wait to have
18 further evidence, I think this would be preferable.

19 MR. LANGLOIS: Nevertheless, your
20 lordship, as you have noticed, the same questions have
21 been asked of the witness this morning, and not being
22 notified of the fact that better qualified witnesses
23 will be called, I thought I was entitled to ask the
24 question.

25 THE CHAIRMAN: There might be no better
26 qualified witness if it is not necessary to call him in.

27 Q. You have talked of the ships reporting
28 to the coastal radio station when they leave the
29 anchorage, but is it not a fact that when a group of
30 ships must anchor in the river between Quebec and



French 1 Montreal that it is necessary for those ships also
2 not only to advise the coastal radio station that they
3 have left anchorage at a certain time, but they must also
4 change their expected time of arrival, which of course
5 increases the traffic?

6 A. Yes, this is true.

7 Q. I don't know, Mr. Monarque, if you were
8 in this room when Captain Goudreau gave his evidence th
9 other day on the question of the displacement of three
10 buoys at Cap Sante on May 16th, 1963, but as I recall
11 I asked you privately to try to obtain the information
12 on this question, in order to know if the message of
13 the pilot who had reported the displacement of such
14 buoys to the Quebec Coastal Station had been transmitted
15 to the Quebec agency.

16 Have you confirmed this according to
17 your files?

18 A. Well, you have mentioned this detail
19 to me, and as I had occasion to go to the office since
20 I told you that I would verify this, and that you
21 would get this information as soon as tomorrow.

22 Q. You have mentioned this morning, always
23 on the same question, broadcasts which are made directly
24 and independently by the Quebec agency. Could you
25 clarify the question of whether such broadcasts which
26 are ordered independently by Quebec are transmitted by
27 the Montreal and Three Rivers coastal stations?

28 A. Yes, they are.

29

30



French 1 Q. Now, so far as your work during the
2 weekend is concerned, is it not a fact to say that
3 starting from Friday evening until Saturday evening
4 the traffic going down from Montreal to Quebec is quite
5 heavy, usually?

6 A. Yes.

7 Q. You have mentioned, in answer to a
8 question of Mr. Lalonde, the experience of using a
9 radiotelephone in the Signal Pilotage Station here in
10 Montreal. Can you tell the Commission if this is an
11 F/M or a VHF station, or both?

12 A. I am under the impression that this
13 is VHF.

14 Q. Only VHF?

15 A. Yes.

16 Q. So this experience can be taken into
17 account only for ships which are equipped with VHF
18 installations?

19 A. That is right.

20 Q. Is it not true -- and if you are not
21 aware of the facts, say so -- that the VHF equipment is
22 required only for ships going into the Seaway?

23 A. Well, I would not be able to answer
24 this question precisely, but I think so.

25 Q. So the ships with F/M equipment could
26 not use this radiotelephone?

27 A. I do not know to what extent the Seaway
28 requires ships to have one or the other, but I know that
29 we can get in touch with all the ships which go to the
30 Seaway.



French 1

Q. My question had nothing to do with the

2 Seaway. I just mentioned the fact that only the Seaway
3 authorities require the installation aboard ship of
4 VHF radiotelephone equipment?

5 A. As far as I know, yes.

6 MR. LANGLOIS: Thank you.

7

English 8

CROSS-EXAMINATION BY MR. MAHONEY:

9

Q. I have only one or two questions. As

10

11 I understand it, you have described the service which
12 your department provides as being divided into, shall
13 we say for the sake of simplification, signal service
14 and pilotage service?

14

A. Right.

15

Q. Is that correct?

16

A. Yes.

17

Q. Now, the signal service which your

18

19 department provides, although perhaps not important in
20 connection with pilotage, is a most vital service to
21 the shipping industry and to the public at large, is it
22 not?

22

A. I have always been convinced of this
23 point.

24

Q. Yes. And not only that, but, as I

25

26 understand it, that service provides the only accurate
27 or reliable and efficient method by which a shipping
28 company can determine the position of its ship throughout
29 the whole Great Lakes system; is that not correct?

29

A. To the best of my personal knowledge,
30 yes.

30



English 1

Q. This is even more correct since the

2 building of the St. Lawrence Seaway than before -- pre-
3 vious to that?

4 A. Yes, of course.

5 Q. Now, in your opinion, sir, if the two
6 services which your agency provides were separated --
7 that is, if the pilotage service were taken away from
8 your agency -- do you think that you would be economical-
9 ly justified in maintaining the staff and facilities
10 which you now have, which are used for the signal ser-
11 vice only?

12 A. I know from experience that the two ser-
13 vices are dependent one upon the other; but in order to
14 answer your question, I think the answer would belong to
15 the higher level authority.

16 Q. But do you think that the efficiency of
17 the signal service, the signal service as such, would be
18 impaired by any such division in your agency?

19 A. To the best of my experience, since the
20 fusion of the two services, I would agree, yes.

21 MR. MAHONEY: Thank you.

22

French

23 CROSS-EXAMINATION BY MR. BRISSET:

24 Q. Mr. Monarque, is it true to say that
25 very frequently shipping agents get in touch with your
26 office in order to find out at what time a ship coming
27 down from the Great Lakes and in which they have a certain
28 interest has gone through the Snell Lock?

29 A. Yes, sir.

30 Q. Do you give them this information



French 1 inasmuch as you can do it at the present time?

2 A. This is true.

3 Q. But the information, taking into account
4 a delay of five hours or more, of the reports which you
5 receive from Cornwall, such information is not always
6 possible to give or it is not always exact?

7 A. No. Especially if we take into account
8 the fact that Cornwall can report a ship to us which
9 would have left Snell five or six hours before.

10 THE CHAIRMAN: I think that the report
11 which you receive will be exact but it will be late?

12 THE WITNESS: Yes, this is true, your
13 lordship. The report will be exact but it will be quite
14 late.

15 Q. But in fact does it not happen that when
16 you are in position to give a report, the ship could
17 have arrived already at Beauharnois, or even at Montreal?

18 A. No, because it takes much more time.
19 But it has happened once that the ship had reached
20 Beauharnois before we had received the report of its
21 departure from the Snell Lock.

22 Q. These reports which are required from
23 the Maritime Agents are not dealing with pilotage
24 questions, and counsel for the Commission has suggested
25 that in such circumstances the pilot could receive
26 information from the shipping agents who report to the
27 shipping company at regular intervals, when the ship
28 is going down. In order to do that, would it be true
29 that he will have to use the radiotelephone and to go
30 through the Montreal Coastal Station and then through



rench 1 ground telephone?

2 A. Yes. I know, for instance, if my
3 memory serves me right, last year or the end of the
4 previous year, as an example, the ships coming down the
5 Seaway used to transmit to us their expected time of
6 arrival and Cardinal, but these messages were considered
7 as commercial messages and as such the agents were
8 charged for such messages. Those messages have dis-
9 appeared, which means that now we have had no more
10 ETA times at Cardinal. This means that at that time
11 this would enter the commercial field of messages sent
12 by radio stations.

13 Q. And these would go through Montreal
14 Coastal Radio Station?

15 A. Yes, probably. Now, I have no per-
16 sonal proof of this, but several pilots have reported to
17 me -- not only pilots, but several users of the Seaway
18 have reported that there is a dead spot between Valley-
19 field and Cornwall, and I am wondering if then they
20 would have sufficient facility to reach the Montreal
21 Radio Station.

22 Q. In fact, Mr. Monarque, there are two
23 remarks which I want to make on this question, the first
24 being that if such a practice was followed, this would
25 add to the workload of the Montreal Radio Station, and,
26 secondly, it is recognized, I am advised, that the re-
27 ception is quite poor ashore?

28 A. Yes.

29 Q. Both remarks are exact?

30 A. Yes. I could agree with those two



ench

1 remarks.

2 Q. You have said that your two services
3 of signals and pilotage have been merged. Now, as far
4 as accounting is concerned, are they both merged? Are
5 operating expenses of both services entered in the
6 same books?

7 A. During my testimony I have mentioned
8 the accounting department, but this department operates
9 only for the collection of pilotage dues, and not for
10 the administration of both services. This accounting
11 is made at the headquarters in Ottawa.

12 Q. We have been supplied with Exhibit 523
13 in which we have the expense costs, Montreal Pilotage
14 1961-1962, and the figure is \$15,000. Are these for
15 the operation of your service?

16 A. No. Those are the pilotage costs and
17 not the administration costs of the pilotage service, and
18 signal service. As I mentioned. The costs that you
19 mention there are costs having to do with the pilotage
20 dues only.

21 MR. LANGLOIS: My lord, this morning
22 the commercial traffic was mentioned on the coastal
23 radio station and the sources were given of this traffic
24 as passenger boats, ships or transport ships. As we
25 will have a witness from the Service of Telecommunications
26 later on, I should like to draw the attention of my
27 colleague for the Commission to talk about this increase
28 in traffic due to the fact that many yachts and many small
29 boats are also equipped with radiotelephone equipment.

30 THE CHAIRMAN: No further questions of



French 1 this witness?

2 MR. JACQUES: I would like to ask a
3 question, my lord.

4 BY MR. JACQUES: Mr. Monarque, I would like to find out
5 if the loss of this knob which allowed you to control
6 the transmission, did it in any way keep important
7 information from being broadcast?

8 A. Well, as I mentioned, to my own know-
9 ledge it did not prevent the transmission of additional
10 information. By that, I mean information which had not
11 been relayed to the radio stations on previous broad-
12 casts preceding this particular one.

13 Q. When you are talking about broadcasts,
14 are you talking about messages on teletype?

15 A. Yes.

16 Q. So the radio station receives its infor-
17 mation by teletype and if you stop the operation of the
18 teletype you can't pass anything by radio; so then all
19 the information that you had to pass at a given hour
20 is delayed to a subsequent hour?

21 A. In principle, yes.

22 THE CHAIRMAN: In case of an emergency,
23 for example, when you get a long distance call from
24 Montreal to Three Rivers, for example?

25 THE WITNESS: Yes.

26 Q. If information which you have received
27 immediately before transmitting the message to the radio
28 station, if this information gets to you and that infor-
29 mation is urgent, then you transmit it by telephone to
30 the radio station?



French 1 A. Yes.

2 Q. Did it ever happen that you were unable
3 to transmit by telephone to the radio station any infor-
4 mation or an important or urgent message?

5 A. Naturally, it is hard for me to answer.
6 But I think that I would have been told about it if there
7 ever had been such an occurrence, but I know very well
8 that certain circumstances where our employees were to
9 transmit messages to the radio stations they were unable
10 to contact the Montreal station. Well, then, they
11 simply contacted Three Rivers.

12 THE CHAIRMAN: To contact Three
13 Rivers by long distance phone call?

14 THE WITNESS: Yes.

15 THE CHAIRMAN: Well, it might happen
16 also that all the long distance lines would be busy?

17 THE WITNESS: Naturally, this is an
18 extreme case, but to that effect we always have at the
19 disposal of our employees on duty the phone numbers, the
20 long distance phone numbers in Three Rivers and Quebec.

21 THE CHAIRMAN: When I mentioned the
22 case where your lines would be busy . . .

23 THE WITNESS: Well, this is a case that
24 never happened until now, my lord.

25 THE CHAIRMAN: But it might be pro-
26 bable that all the lines would be busy as well as your
27 teletype?

28 THE WITNESS: What happens frequently,
29 my lord, naturally the teletype is a mechanism so
30 naturally it might suffer breakdowns. I do not know



French 1 for what reason, but the breakdowns seem to come from
2 the Three Rivers area. So then the Canadian National
3 Telegraph will cut the Three Rivers station and then
4 as we cannot contact either station -- that is the
5 Three Rivers Pilotage Station and the Coastal Radio
6 Station -- then we just have recourse to the long dis-
7 tance phone calls.

8 MR. JACQUES: Thank you.

9 THE CHAIRMAN: Are there any further
10 questions? Thank you, Mr. Monarque.

11 THE WITNESS: Thank you, my lord.

12 THE CHAIRMAN: Do you have any other
13 witness?

14 MR. JACQUES: I will call Mr. Viau.

15

16 ANDRE VIAU, sworn

17

DIRECT EXAMINATION BY MR. JACQUES

18

19 Q. Can you state your full name, Mr. Viau?

20 A. Andre Viau.

21 Q. And your occupation?

22 A.. Chief Clerk for Pilotage in Montreal.

23 Q. What do your functions include?

24 A. I see to it that all Pilotage Regula-
25 tions are enforced and see to the general good operation.

26 Q. How old are you?

27 A. I am fifty-eight years old.

28 Q. I think that you are also Chief

29 Despatcher?

30 A. Yes.



French 1 Q. This is your main duty?

2 A. Yes.

3 Q. The despatching that you do, you do it

4 where?

5 A. In Montreal.

6 Q. At the Montreal Harbour?

7 A. At the Montreal Harbour office.

8 Q. And for ships who are going where?

9 A. Montreal-Three Rivers, Montreal Harbour

10 and Montreal-Cornwall.

11 Q. You also look after the despatching

12 from Montreal to Three Rivers?

13 A. I have some employees on duty and I

14 see that everything works properly.

15 Q. So you look after the despatching in

16 Three Rivers? In Quebec -- do you have anything to do

17 with Quebec?

18 A. No, not at all.

19 THE CHAIRMAN: Am I to understand that

20 the Three Rivers despatching is done from Three

21 Rivers to Montreal?

22 THE WITNESS: Yes. There is a Chief

23 Despatcher at Three Rivers as well as Montreal and in

24 Quebec.

25 THE CHAIRMAN: But the one in Three

26 Rivers is under your jurisdiction?

27 THE WITNESS: No, he is completely

28 independent.

29 Q. So you are in Montreal and you look

30 after the despatching of vessels leaving Montreal for



French 1 Three Rivers and vessels in the Montreal Harbour and
2 vessels leaving Montreal and going to Cornwall?
3 A. Yes.
4 Q. Now, you said that you had a staff in
5 Three Rivers. The Three Rivers staff looks after
6 the despatching from Three Rivers to Montreal?
7 A. Yes. There is a staff at Three Rivers
8 that is not under my jurisdiction.
9 Q. You do not supervise them?
10 A. No. I look after Montreal only. There
11 is a Chief Despatcher like me at Three Rivers and another
12 one at Quebec.
13 Q. So you do not have anything to do with
14 Three Rivers?
15 A. No.
16 Q. You do not have any orders to give
17 them?
18 A. No.
19 Q. For how long have you been doing
20 despatching?
21 A. Well, despatching since April, 1932.
22 Q. April 1932? Since when have you been
23 in charge of despatching?
24 A. Since 1951.
25 Q. So you have been in charge of despatch-
26 ing in Montreal for twelve years?
27 A. Yes.
28 Q. How many employees do you have under
29 your jurisdiction?
30 A. I have five at the present time.



French 1 Q. Have they been working with you for a
2 long time?
3 A. Two of them started to work last year
4 and the third one about a year and a half ago. The
5 fourth one for the past four years, or thereabouts, and
6 the fifth one for the past five or six years.
7 Q. So what are your hours of work?
8 A. Well, from eight-thirty in the morning
9 to five after five in the afternoon, with fifty minutes
10 off for lunch.
11 Q. Do you work on Saturday?
12 A. No, I do not work on Saturday, only on
13 the week days.
14 Q. You do not work during the weekend,
15 Saturdays and Sundays or holidays?
16 A. No.
17 Q. Mr. Monarque explained this morning that
18 there were men who were looking after the shift?
19 A. Yes.
20 Q. Are the men who are on that night shift
21 those who have the most experience? no, it is not.
22 A. No, not necessarily so because they are
23 on a kind of rotation system.
24 Q. It may happen, for example, that at
25 night time there might be an employee who is more ex-
26 perenced and some times they have a relative newcomer?
27 A. Yes.
28 Q. Do you have any trouble whenever you
29 have a new one on duty at night?
30 A. Oh, sometimes. In that case, often



French 1 they phone me at home in order to ask for advice in order
2 to settle certain problems, and so forth.

3 Q. Did that happen often since the begin-
4 ning of navigation season?

5 A. This happens especially during the
6 fall, because during the fall the procedure is slightly
7 different from that of the summer.

8 Q. But ever since the beginning of the
9 navigation season this year, did the younger employees
10 phone you at your home at nights?

11 A. Yes.

12 Q. And what problems did they have to
13 tackle?

14 A. Well, of course, it will be difficult
15 for me to remember all of these different cases, but
16 some times it is the lack pilots Class A, or the lack of
17 a pilot and they wonder if they should call for pilots
18 by card. Some times the lack of experience makes
19 them afraid of this lack of pilots. If they had more
20 experience, they certainly would not phone me at night.

21 Q. This year did it ever happen that be-
22 cause of the lack of experience of the employees on duty
23 it may have given rise to delays in the vessels' depar-
24 tures?

25 A. Well, not in the departures -- no, I do
26 not think so.

27 Q. Did it ever happen that they may have
28 made a mistake about a pilot and sent a pilot Class B
29 instead of a Class A pilot?

30 A. Well, this happens rarely because, of



French 1 course, this is one of the main points, one of the most
2 important points.

3 Q. Did this happen since the beginning of
4 the season that they have made a mistake about pilots?

5 A. This perhaps happened once, but to my
6 own knowledge I do not remember it.

7 Q. You do not remember that this happened.
8 If it had happened, would you have been told about it?

9 A. I would certainly have known about it
10 the next morning.

11 Q. Did it ever happen that they ever for-
12 got to call a pilot?

13

14

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30



French 1 A. This is the main part of their work,
2 so I don't think that they forget to call a pilot. This
3 may happen, for example, if they are overloaded with work.
4 They are concerned with transmitting messages to Three
5 Rivers. Whenever there is one man on duty he has to
6 answer three different telephones, aside from the direct
7 line with Cote Ste. Catherine, and the direct line with
8 St. Lambert, and sometimes the employee could be led to
9 forget, or delay, if expecting an order.

10 Q. You told us about certain omissions.
11 Did any happen this year?

12 A. It might have happened, but I don't
13 think about any type of cases like that at the present
14 time.

15 Q. Did it happen last year?

16 A. Well, concerning vessels, well, let us
17 say that a ship comes up for the first time, we don't
18 remember her tonnage. Whenever it is a ship that comes
19 up regularly, well, naturally, we remember immediately
20 the tonnage whenever we see the name of the ship, but
21 if it is the first trip of the ship, and if this ship
22 comes on a second trip when there is another shift and
23 another employee, it may give rise to mistakes.

24 Q. Does it really cause mistakes?

25 A. Well, it may be a little harmful, for
26 instance, if we despatch a pilot who doesn't belong to
27 the right class, sometimes it is difficult to replace him.

28 Q. Did you have specific cases last year
29 where this particular thing happened?

30 A. There was one case, a new barge was



French 1 going down to St. Lambert. We didn't know the tonnage
2 of the ship, and we sent a pilot Class B, and when the
3 barge passed the office, well, it was a large barge, which
4 required a pilot of Class A and the pilot sent on board
5 that ship was a pilot of Class B.

6 Q. Were there complaints following that?

7 A. No, but normally on a ship of Class A,
8 you are supposed to have a pilot of Class A.

9 THE CHAIRMAN: Mr. Jacques, while you
10 are talking about that, I would like you to find out who
11 is in charge, or entrusted with the determination of what
12 class the ship is, and what means this person has at
13 his disposal in order to do so.

14 MR. JACQUES: Could I ask the question
15 a little later on, my lord?

16 THE CHAIRMAN: Yes.

17 Q. Let us suppose a ship is going upstream.
18 How do you know that this ship is coming to Montreal?

19 A. We see it on the reports of the Signal
20 Service, which have been explained by Mr. Monarque.

21 Q. So this information comes from where?

22 A. It comes by teletype, and is reported
23 when at Les Escoumains, Quebec and Three Rivers.

24 Q. And the teletype is in your office?

25 A. Yes.

26 Q. Who reads the messages on the teletype?

27 A. Well, a Signal employee.

28 Q. So, every time the teletype works will
29 the employee read the message?

30 A. Yes. As soon as there is a written



French 1 message he is going to read the message, and if it is a
2 ship that is coming upstream he writes it down on a
3 bulletin board that we have as on the ships that are
4 below Quebec, and another board is used for ships from
5 Quebec to Montreal.

6 Q. So, whenever you have a ship represented
7 at a given station it is written down by the Signal em-
8 ployee?

9 A. Yes.

10 Q. Let us say, for example, that it is from
11 Escoumains?

12 A. This is by teletype. You have ETA at
13 Escoumains.

14 Q. Do you follow the course of the vessel
15 when it is coming upstream on the river?

16 A. Yes.

17 Q. So that every time you have a new signal
18 or a new report on that vessel you change it on your board?

19 A. Yes, the Signal employee looks after that.

20 Q. You don't do the despatching for Three
21 Rivers from Montreal?

22 A. No.

23 Q. Let us say that the vessel is going to
24 dock in Montreal, and that the vessel is going to go to
25 the Seaway afterwards, so this vessel, you have followed
26 him while he was coming upstream up to the time he
27 reached Montreal. The ship wants to leave Montreal,
28 what do you do then as regards despatching?

29 A. Well, the company, or the agent of the
30 company, calls us up and gives us an order, and the order is as



French 1 follows, the name of the ship, is at section such-and-such,
2 at pier so-and-so, and for the Seaway at five o'clock
3 this afternoon, and aside from that we ask for the
4 destination of that ship, and her draught, and moreover
5 if this vessel needs a pilot.

6 Q. So all this information is transmitted
7 to you?

8 A. Yes, it is.

9 Q. The tonnage is transmitted as well?

10 A. No, not the tonnage.

11 Q. Who determines the tonnage of the ship?

12 A. We have only to look at the Lloyds
13 Index, and we look for the tonnage ourselves in that
14 book.

15 Q. This is then how you obtain the ton-
16 nage?

17 A. Yes.

18 Q. And you despatch a pilot?

19 A. Yes.

20 Q. If it is a vessel of less than 1000
21 net tons, what do you do?

22 A. If they ask for a pilot we send a pilot.

23 Q. You know that pilots belong to different
24 classes?

25 A. But in Montreal harbour there are no
26 classes. They are all on an equal footing in that
27 harbour.

28 Q. So you send a harbour pilot?

29 A. Yes.

30 Q. And those messages that you receive from



French 1 the agents, or the shipping agents, how much delay does
2 that give you?

3 A. For an order in the harbour, well, one
4 hour of notice from Longue Pointe downstream, two hours
5 notice. Most of the time the agents call us on time,
6 and sometimes it is too close to the call, and if we
7 have only one hour of notice, well, we tell the pilot
8 to hurry up.

9 Q. Has it ever happened that you asked an
10 agent to hurry up a little bit more when he phones?

11 A. Well, naturally, you can't control
12 everything, because the orders may change, but the agents
13 ask us to be as diligent as possible.

14 Q. So you have decided to despatch a pilot,
15 but how do you know exactly who to send as a pilot?

16 A. For the harbour?

17 Q. Yes, for the harbour?

18 A. Well, we have a list of the changeover
19 of pilots, which is done at noon.

20 Q. How do you do this change?

21 A. We read the list of the pilots used
22 less often as the first place.

23 Q. Where do you get this information about
24 who has the least?

25 A. We have a record of their trips, so the
26 one who has had the most rest is the first on the list.

27 Q. How do you determine the one who has the
28 most rest?

29 A. Well, every time they are through with
30 a movage they report to the office, and the time of the



French 1 end of their work is recorded.

2 Q. So the one who has had the most rest is
3 the one who is first on the list at noon every day?

4 THE CHAIRMAN: The one who has had the
5 most trips and the least rest?

6 MR. JACQUES: No, my lord, the one who
7 has had the most trips is the last on the list.

8 THE WITNESS: Well, this applies to the
9 pilots who are on the list, but those who are on duty are
10 put on the list as soon as they report back to the office.

11 Q. If two men have the same number of trips?

12 A. Well, the first one who reported to the
13 office is the first of the two on the list.

14 Q. Well, this is the one who had the most
15 rest, because he reported first?

16 A. Yes, and those who are at work, as soon
17 as they are through with their work, they get to the
18 bottom of the list.

19 THE CHAIRMAN: I would like to get back
20 to what I wanted to say before. Let us say that a trip
21 for a pilot in the District would take about two hours.
22 This is an example, and for a particular case, for a
23 special case, because of delays, well, that trip lasted
24 five hours, so perhaps the pilot missed a turn, or a
25 trip. He will be the one who had the least number of
26 trips. Will he be put first on the list?

27 THE WITNESS: Yes, sir.

28 Q. Whatever the length of the trip?

29 A. Yes.

30 Q. So when you contact him you have decided



French 1 to despatch the pilot on this ship. Where do you contact
2 him?

3 A. Usually they are at home. At times
4 they come to the Pilotage office in order to give us
5 their card, and we know immediately where they are, so
6 we can contact them at their homes.

7 Q. How many hours of notice do you give
8 to that pilot? You ask for an hour and a half from the
9 shipowner. How much notice do you give to the pilot?

10 A. It is an hour and a half for any
11 order, with the exception of downstream and Longue Pointe.
12 This applies to harbour pilots.

13 Q. So the pilot goes aboard the ship and
14 enters the Seaway. Do you look after the despatch of
15 river pilots?

16 A. Yes.

17 Q. What is the procedure?

18 A. If, for example, a vessel has ordered
19 for five o'clock starting from Imperial Oil downstream,
20 he has a notice of one hour to get to the Seaway.

21 Q. How do you obtain the hour of departure
22 of the ship? If you give that ship an hour to reach
23 the Seaway, who gives you the hour of departure?

24 A. Well, the agent has ordered the pilot
25 at five o'clock for Imperial Oil, so he is supposed to
26 leave Imperial Oil at five o'clock and reach the Seaway
27 at six o'clock. The Cornwall pilot has two hours.

28 Q. Do you check if the ship left at that
29 particular time?

30 A. We have no control over that.



French 1 Q. If the ship is delayed by an hour, what
2 happens then?
3 A. Then the pilot waits.
4 Q. And how do you select the Cornwall pilot?
5 A. Well, on a similar list as that applied
6 for harbour pilots, and this list is compiled twice a
7 day, at nine in the morning and five in the evening.
8 Q. Why twice a day?
9 A. Well, I mean this has been the practice.
10 Q. And how do you proceed to compile such
11 a list?
12 A. Well, the one who is first on the list
13 remains first on the list. At nine o'clock in the morning
14 the one who is first on the list remains first on the
15 list, and all the others are established according to the
16 same system as for the harbour pilots.
17 Q. What is the duration of a trip?
18 A. One trip is one trip. It counts only
19 for one trip, whether it lasts five hours or ten hours.
20 Q. And this is for the pilots who are
21 available, and those who are busy then are placed at the
22 bottom of the list as soon as they report to the office,
23 and you do that twice a day?
24 A. Yes.
25 Q. What happens to the Montreal pilots
26 whenever they get off the ships? Do they report to you?
27 A. Yes, they do so immediately.
28 Q. How?
29 A. By telephone.
30 Q. Has it happened that they just don't



rench 1 report to your office?

2 A. Well, sometimes there is a little bit
3 of delay if they go to a pier where there is no available
4 phone, or at night time. Generally they report not
5 long after they are through with their trip.

6 Q. Well, how long do they take?

7 A. Well, as soon as they get back home.

8 Q. How long does that take, half an hour,
9 an hour?

10 A. Not more than half an hour.

11 Q. So when you receive that call what do
12 you do with the name of the pilot?

13 A. Well, the name of that pilot is put at
14 the bottom of the list, and the hour at which he finished
15 his work.

16 Q. So he gives you the hour at which he
17 finished his work?

18 A. Yes.

19 Q. Let us say that he finished his work at
20 five o'clock and he phones you at six o'clock, and
21 between five and six there is another one who finished
22 his work at five-thirty, and then the second one phones
23 you at 5.35?

24 A. He finished his work at five o'clock,
25 so I put his name on the list before that of the pilot
26 who finished at five-thirty.

27 Q. It is not the hour of the phone call,
28 it is the hour of the end of the work?

29 A. Yes.

30 THE CHAIRMAN: We will adjourn until
ten o'clock tomorrow morning.
---At 5.00 p.m. the hearing adjourned until 10.00 a.m.

ROYAL COMMISSION

ON

PILOTAGE

HEARINGS

HELD AT

MONTREAL

QUEBEC

VOLUME No.:

47 A

DATE:

July 11, 1963

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ROYAL COMMISSION ON MARINE PILOTAGE

Proceedings of the hearing held at
the Court House, Montreal, Quebec,
on the 11th day of July, 1961.

COMMISSION:

The Honourable Mr. Justice Bernier	Chairman
Robert K. Smith, Esq., Q.C.	Member
Harold A. Renwick, Esq.	Member
Mr. Gilbert Nadeau	Secretary

COMMISSION COUNSEL:

Mr. Maurice Jacques

Mr. Leopold Langlois, Q.C. - for the Canadian Merchant
Service Guild

PRESENT:

Mr. J. Brisset	for the Shipping Federation of Canada
Mr. J. M. Jacques	for the National Harbours Board
Mr. J. Mahoney) Mr. C. Mason)	for the Dominion Marine Association
Mr. Marc Lalonde	for the Federation of St. Lawrence River Pilots; Corporation of the Lower St. Lawrence Pilots; the Corporation of the Mid-St. Lawrence Pilots; the Cor- poration of the Montreal Harbour Pilots; the Corporation of the St. Lawrence River and Seaway Pilots; the Corporation of the Upper St. Lawrence Pilots
Captain J. S. Scott	Technical Advisor to the Commission
Captain F. S. Slocombe	for the Department of Trans- port and liaison officer



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Montreal, Quebec,
July 11th, 1963.

---On resuming at 10.00 a.m.

DIRECT EXAMINATION BY MR. JACQUES (Cont'd):

Q. Yesterday we were discussing the list which you prepare in Montreal for the despatch of the river pilots, and the harbour pilots. We have also talked about the assignment of pilots for ships which are going up the Seaway, and also the assignment of pilots in the harbour of Montreal itself.

Now, as for pilots which are going up the St. Lawrence Seaway as far as Cornwall, could you explain to us how the pilots come back to Montreal?

A. When they reach Montreal they are assigned by the Cornwall office, and they wait until they are assigned to a ship leaving Cornwall.

Q. Now, the pilots who are taking a ship up to Cornwall stay at Cornwall, and they are put on a despatching list there to come back to Montreal with another ship?

A. Yes, this is right.

Q. Can it happen that you are short of pilots in Montreal?

A. Yes, in certain cases, yes, then we ask Cornwall to send a certain number of pilots, two, three, or five, according to the need.

Q. According to the number of ships which you forecast for a given date?

A. This is right.



French 1 Q. How do these pilots come to Montreal?
2 A. Either by train or by bus.
3 Q. And how are they selected in Cornwall,
4 can you answer this question?
5 A. Well, in Cornwall the second, the third,
6 and the fourth on the list, if we ask for three. The
7 first one never comes, but the second, third and fourth,
8 if we ask for three pilots, are sent to Montreal by bus
9 or by train.
10 Q. And they come to Montreal and the first
11 one on the list in Cornwall remains in Cornwall?
12 A. Well, he remains in Cornwall, but there
13 is something different at the end of the navigation
14 season. This is explained in the Bylaws.
15 THE CHAIRMAN: I understand that at the
16 end of the navigation season most of the ships are
17 coming down?
18 THE WITNESS: Most of them, yes, so if
19 there is a request from Montreal the first one is sent
20 to Montreal.
21 Q. So, at the end of the season, if you
22 need pilots in Montreal ---
23 A. Well, at the end of the season it is
24 at Cornwall that we need pilots.
25 Q. Does the contrary apply, if Cornwall
26 is lacking pilots, they contact you, and you select, and
27 you start with the second on the list to send those people
28 to Cornwall -- right?
29 A. Yes, that is right.
30 Q. Now, at the end of the navigation



French 1 season what do you do when Cornwall needs pilots?

2 A. I think that this starts on November
3 the 15th -- I would have to look at the bylaws -- starting
4 from November 15th the first on the list is sent.

5 Q. Now, are you aware, do you know who
6 pays the transportation expenses between Montreal and
7 Cornwall for this operation?

8 A. It doesn't come under my jurisdiction.
9 I only look after despatching.

10 Q. Now, if you want we will examine the case
11 of a ship which is leaving Montreal and going down the
12 river to go, let us say, to Europe. How do you pro-
13 ceed there?

14 A. Well, first we receive the request from
15 the agent for the ocean-going vessels. When they are
16 Great Lakes ships usually it is the captain or the master
17 who calls when it is in the Seaway. If we receive a
18 notice from Beauharnois that the destination of the ship
19 is either Quebec, Baie Comeau ---

20 Q. Just a minute there. You receive a
21 notice from Beauharnois Lock?

22 A. Yes.

23 Q. And how do you receive such a notice?

24 A. This comes from a teleprinter circuit,
25 ship, destination Montreal, Quebec, or Baie Comeau.

26 Q. Do you get any other information besides
27 the name of the ship and its destination?

28 A. No. Well, except that they give us the
29 time that the ship goes through the Beauharnois Lock.

30 Q. What do you do with this information?



French 1

2 A. We wait until we get a call from Cote
3 Ste. Catherines Lock giving us the necessary time for
4 the pilot to go aboard. Well, for the pilot to go to
5 the St. Lambert Lock, where he boards.

6 Q. This information that you receive from
7 Ste. Catherine Lock, how do you receive it?

8 A. By direct telephone line.

9 Q. What kind of information do you get?

10 A. Well, we are told such a ship is due
11 to leave the lock, at such time, five or ten minutes
12 from now. For instance, we will be given such name of
13 a ship, due to leave Ste. Catherines Lock at ten past
14 ten.

15 Q. Is the destination repeated at that
16 time?

17 A. No.

18 Q. So the only indication which you have
19 of the destination of the ship is by receiving a message
20 by teleprinter from Beauharnois?

21 A. Yes, this is right.

22 Q. And Cote Ste. Catherines gives you only
23 the time at which the ship will leave the lock?

24 A. Yes, and it is after that that we
25 request the time.

26 Q. So I understand, Mr. Viau, there are
27 several classes of pilots between Montreal and Three
28 Rivers?

29 A. That is right.

30 Q. How do you select the right class?

A. For the ocean-going vessels we consult



French 1 the shipping index which gives the net tonnage of the
2 ship, and the net tonnage is the important factor for us.

3 Q. Lloyds Shipping Index. Do you know if
4 this is published often, this kind of booklet?

5 A. I think so, because the month is indica-
6 ted here. We don't receive them personally. I think
7 that Quebec receives some, and when they receive a new
8 one they give us an old one for the use of our offices.

9 Q. What do you mean when you say Quebec?

10 A. Well, the Quebec Pilotage Office.

11 Q. The Lloyds Index contains the name of
12 the ship, the name of the owner, the flag of the ship, the
13 year of construction of the ship, the net tonnage of the
14 ship and the tonnage in the book, and also contains the
15 destination of the ship, and the date of the last report
16 which has been obtained on that ship.

17 So you use this book in order to obtain
18 the tonnage of the ship, to verify the tonnage?

19 A. For Canadian ships, well, the ships of
20 the Great Lakes aren't registered in this book, but we
21 have an index of ships registered in Canada, which gives
22 us this information.

23 Q. And I think that what you mention is
24 called the List of Shipping, which is published by the
25 Queen's Printer every year?

26 A. Yes.

27 Q. When you have the tonnage of the ship,
28 how do you select the pilot?

29 A. I have an example of the list here.
30 This is a despatching list of pilots between Montreal



French 1 and Three Rivers. You see here the first one on the
2 list is a Class C-1 pilot.

3 Q. Just a minute. This is a list which
4 contains in the left-hand column the name of the pilot,
5 in the next column we see some figures?

6 A. Well, the number of turns which they
7 have, the number of times that they have gone aboard
8 during the season.

9 Q. Sometimes at the extreme left, in front
10 of the name of the pilot, we see a figure in a circle?

11 A. Those are Class A pilots, and these are
12 the number of turns in Class A.

13 Q. In the right-hand side column the same
14 kind of information?

15 A. Well, you see here it is the names of
16 some Class A pilots which have been reserved for when we
17 have a request for Class A pilots, or when we have a
18 request from such ships in the near future.

19 Q. Is there a difference between the two
20 columns? Is the right-hand side column the same as the
21 left-hand column, except for ^{the} Class A pilots on top only?

22 A. When we get requests from a Class A
23 ship, let us say with ten hours' notice, or as much as
24 possible, then we reserve a Class A pilot for the next
25 Class A ship.

26 Q. Well, just a minute. You will divide
27 this list, who on this list is the one who will get the
28 first turn?

29 A. G.M. Bouille.

30 Q. Could you put the figure one with the



French 1 red pencil next to his name?

2 A. But in this case G. M. Bouille is
3 a Class C-1 pilot. I must necessarily have a Class B
4 pilot to be available at the same time, so the letter A
5 here means that the pilot is advised during the day -- as
6 soon as someone is first on the list, we always advise
7 him in case we receive a request from a ship.

8 Q. So in this case the pilot who would get
9 the first turn would be a C-1 pilot. So the second one
10 is a Class B pilot, and you said that when you have a
11 Class C pilot who is first on the list, you also advise
12 a Class B pilot to be on Stand-by.

13 In Exhibit 551, the example of despatch-
14 ing list, the second is a Class B pilot. Now, in your
15 list of pilots do you take into account the grade of the
16 pilot for his position on that list in any way?

17 A. Certainly we have to take this into
18 account, because when we establish the list in the morn-
19 ing we must necessarily, if the first pilot on the list is
20 a Class C pilot, the second must be a Class B pilot,
21 if you want both considered as being first, because if
22 the first request is for a Class B pilot I must send a
23 Class B pilot.

24 Q. So this is a new regulation concerning
25 list
26 this assignment, because we were told yesterday that as
27 far as the river pilots were concerned you were re-
viewing the turns?

28 A. Well, this was for the Cornwall pilots,
29 twice a day, and for the Montreal Harbour once a day at
30 noon, and the river pilots at ten o'clock every morning.



rench 1 Q. So at ten o'clock in the morning you
2 revise your list?

3 A. Yes, we adjust by having the first
4 remain first, and if it is the C-1 first, the first of
5 Class B becomes second, and they are both considered as
6 being first on the list.

7 Q. So when you adjust your list you take
8 the first on the list, no matter what his class, and if
9 it be a Class C pilot you take the first Class B pilot on
10 the old list, or the Class B pilot who has the smallest
11 number of turns?

12 A. No, the first Class B pilot on the old
13 list.

14 Q. So when you revise your list you keep the
15 first one as first, and if it is a Class C pilot you put as
16 second the first Class B pilot from the old list?

17 A. Well, we consider them as being both
18 first equally.

19 Q. If you have in first position on the old
20 list a Class B pilot what do you do?

21 A. Well, then there is no problem, because
22 the Class B pilot can take a Class C ship or a Class B
23 ship. He can't take a ship of a higher class, but he
24 can take a ship of a lower class, so whether it would be
25 a Class B or a Class C ship, the Class B pilot would be
26 qualified to take that ship.

27 Q. So when the first in position on the old
28 list is a Class B pilot he remains first on the new list.
29 Now, what do you do with the others?

30 A. All those who have had ten hours of rest



French 1 are adjusted.

2 Q. Amongst those who have arrived at Montreal
3 or Three Rivers? We are talking about pilots going down
4 the river?

5 A. Well, this list is being made by Three
6 Rivers. Those who have taken ships up from Three Rivers
7 to Montreal, who have arrived before midnight, we start
8 with them. We adjust them. The first in turn remains
9 the first, and all the others are adjusted according to
10 the number of turns they have had. If you have some
11 with a small number of turns, you put them second, and
12 their time of arrival will determine their position on
13 the list.

14 Q. What do you do with those who have
15 arrived before midnight.

16 A. They are put on the list according to
17 their time of arrival, without taking into account the
18 number of turns, and if before ten o'clock, or at ten
19 o'clock the next morning, I need them, I take them
20 according to that time of arrival, as it is indicated
21 here on the list.

22 Q. Just a minute, we will finish our ex-
23 planations before explaining Exhibit No. 551.

24 If the first one on the old list is
25 a Class A pilot, what do you do?

26 A. If he is a Class A pilot he is on the
27 list of pilots, he remains in the general classification.
28 He is available just like the other pilots, except in
29 case of emergency.

30 Q. And if it is a small ship which is first



French1 to come?

2 A. Well, if he is Class A he is qualified
3 for any kind of ship, so if it his turn he takes the ship.

4 Q. He takes the ship just the same?

5 A. Yes.

6 Q. Do I understand properly the situation?
7 The first one on the list, no matter what his class is,
8 he takes the first ship, except if it is a ship of a class
9 superior to that of the pilot?

10 A. Yes.

11 Q. Now, in the Class C pilots there are
12 different classifications, C-1, C-2 and C-3, so how do
13 you put them on the list, those different categories?
14 Do you take them into account in some way or other?

15 A. Yes, certainly. When they become first
16 on the list they are advised, and the first ship of their
17 class is given to them. If we have a ship of a superior
18 class this will go to the following one on the list who
19 is qualified for that ship.

20 Q. But in this case you don't take into
21 account whether it is C-1, C-2 or C-3 when you prepare
22 the list?

23 A. No, not when we prepare the list. If
24 the ship is of a higher tonnage than the licence of the
25 first pilot, the next qualified pilot takes the ship.

26 Q. If you don't mind, in the left-hand column
27 we have the name of the pilot, the number of turns taken
28 by the pilot, and we also have a column on the right-hand
29 side which contains the name of the pilot and the number
30 of turns?



French 1

A. That is right.

2 Q. You have indicated by the figure one
3 the first pilot on the list. You have put "A"
4 in front of his name, which means that the pilot has been
5 advised that he is first on the list, and you also have
6 put this letter A in front of the second pilot on the list,
7 to indicate that he also has been advised. Now, you
8 said that the first name on the list is a Class C. How
9 do you see he is a Class C pilot? There is nothing on
10 the list indicating so?

11 A. Well, of course, in the office we know
12 this quite well. We know who is C-1, C-2 and C-3, and
13 we know which pilots are A and which are Class B. I
14 think Mr. Melanson has a list of the pilots with their
15 qualifications.

16 Q. Is the list available for discussion?

17 A. Yes, but I mean, this is something
18 which we need so much to know that this is the first thing
19 which we learn in the office.

20 Q. In Exhibit 551, in both columns on the
21 left of the name there is a figure in a circle, and you
22 said that this was the number of turns of the Class A
23 pilot. What kind of turns?

24 A. This is the turns which they have made
25 on Class A ships.

26 Q. I take an example here, Leo Hamelin.
27 What kind of a pilot is he?

28 A. Class A.

29 Q. On the left of his name in a circle is
30 the figure 27?



French 1 A. This means that he has had 27 turns
2 on Class A ships.
3 Q. And in front of his name on the right
4 we see 50½?
5 A. This is the total number of turns on any
6 class of ships.
7 Q. So this pilot Leo Hamelin on the date of
8 the 11st would have made 50½ turns, 27 of which would
9 have been made on Class A ships?
10 THE CHAIRMAN: Could you explain the
11 half, please?
12 Q. Now, this Exhibit 551 has two columns.
13 What I would like to know is, is the right-hand column
14 a continuation of the left-hand column? Is the first
15 name on the right-hand column a continuation of the name
16 on the left-hand column?
17 A. On the top of the left-hand column is
18 pilots of Class A, which are reserved for departures which
19 are quite near.
20 Q. Can you indicate in red this part of
21 the right-hand column reserved for Class A pilots?
22 A. (The witness complies.)
23 -
24
25
26 -
27
28
29 -
30



French1

Q. I note that you have not included two names immediately following what you have underlined.

A. Because, you see, on my list I reserve a Class A for only those which I need. When I do not need them, they have to navigate in Class B, in the general turn.

Q. Now, how do you know that you will need a Class A pilot?

A. Excuse me. These two pilots here are reserved, but in doing their turn they have been under the general turn. Now, when we have had calls for a Class A, we have put them again on the list at the top. So he has been taken out from the general turn and put in the list reserved for Class A. The same thing for this other one. He was reserved here, and he was in the general turn and he was taken out of the general turn because he had been reserved.

Q. Will you explain his reservation?

A. When we receive an order for a Class A ship, we have to have the man arrive ten hours in advance.

Q. Ten hours? Why?

A. If I don't reserve them, naturally, when the ship will arrive, well, I won't have a Class A available.

Q. Do you inform the shipowners that the Class A ships must inform their order concerning pilots ten hours in advance?

A. Yes. But they cannot always give the exact time of departure.

Q. Now, you said that you had reserved a



French 1 certain number of Class A pilots. , How can you estab-
2 lish the number of pilots which you reserve?

3 A. According to the expected departures.

4 Q. And where do you obtain these forecasts?

5 A. In the office we have a list of all Class
6 A ships which are in the harbour and every morning on the
7 list of Signal reports the name of all Class A ships
8 going into the Seaway is indicated and we get this
9 information in order to find out their departure time.

10 Q. The ships going down the Seaway, you
11 obtain, concerning this, the information from the Signal
12 Service report?

13 A. Yes. We see the names on the list of
14 the ships going down.

15 Q. Now, about the ships which are in
16 Montreal, how do you know that they are going to leave
17 there every day?

18 A. If it is a passenger liner, the depar-
19 ture is a regular one. If it is a freighter in that case
20 we try to find out every day when the possible departure
21 is.

22 Q. Where do you get this information?

23 A. From the agent.

24 Q. Do you call them?

25 A. Yes, we call them.

26 Q. When do you take all these measures?

27 A. Every day. There is no specific time.

28 As soon as we have a free moment, we call the various
29 agents whose ships are on our list, and they give us
30 the approximate departure time. Sometimes it is within



French 1 two days. In that case, we indicate the expected date
2 and later on when we reach that date we check once more
3 with the company.

4 Q. Now, every morning at ten o'clock you
5 prepare your list?

6 A. Yes, at ten o'clock.

7 Q. And this list of reservations of Class A
8 pilots, when do you do that?

9 A. As we receive the orders or information
10 concerning the fact that a Class A ship will depart within
11 ten hours.

12 Q. So if you do not have anything reserved
13 in the Class A, well then you take them from the general
14 turn. Now, there are names which have been crossed out
15 on this list. Can you tell us why?

16 A. As they go out with a ship, I cross them
17 out from this list. They are placed on another list.
18 This is what we call the "Going Ups" and "Going Downs."

19 Q. So when the pilot embarks you cross out
20 his name? Now, I see all sorts of arrows on this list?

21 A. This is changes in turns.

22 Q. Will you please explain how a change in
23 turn takes place?

24 A. For instance, we have a pilot who lives
25 in Three Rivers, or around Three Rivers. His turn is
26 set for Montreal and he is rather far down the list, and
27 he changes his turn with a Montreal pilot who lives here
28 and who likes to stay here as long as possible in Montreal.
29 So, in fact, the Three Rivers pilot, in changing turns,
30 goes back to Three Rivers and can stay a little longer at



French 1 his home.

2 Q. Now, do you require a minimum time of
3 rest between trips?

4 A. Ten hours.

5 THE CHAIRMAN: That is for Montreal and
6 Three Rivers?

7 MR. JACQUES: That does not apply to
8 the harbour.

9 THE CHAIRMAN: You have three times the
10 pilots, you see.

11 Q. So if the Three Rivers pilot who wants
12 to go home wants to change his turn, and he has not had
13 the ten hours' rest since his last turn, do you still
14 change his turn?

15 A. No, we do not allow him to change if
16 he hasn't had the ten hours' rest.

17 MR. JACQUES: Before I move on to this
18 document, I will let the Commission look at it.

19 Q. One last question concerning Exhibit 551.
20 What is the date of this exhibit?

21 A. I think it is July 2nd.

22 Q. Of this year?

23 A. Yes.

24 Q. Now, I should like to file another docu-
25 ment as Exhibit 552. What do you call this document?

26 A. This is the list of going ups and
27 going downs of July 2nd.

28 ---EXHIBIT NO. 552: List of Going Ups and
29 Going Downs, dated July 2nd.

30 Q. This list is divided into three columns,



French 1 the left one being called "In", the one in the centre
2 "Three Rivers", and the right one "Out". Now, in each
3 of the columns you see the names of ships.

4 MR. LANGLOIS: What does that mean,
5 "Going up" and "Going down"?

6 MR. JACQUES: He is going to explain
7 this.

8 A. On the first column on the left-hand
9 side, the name of the pilot with the ship he is taking
10 upstream, as well as the number of turns -- the pilot's
11 number of turns. On the second column, a list of the
12 turns in Three Rivers.

13 Q. Where do you obtain this list -- Three
14 Rivers?

15 A. Every morning the ten o'clock report
16 gives it.

17 Q. So every morning at ten o'clock Three
18 Rivers sends you its list?

19 A. Each morning we communicate with Three
20 Rivers and Quebec. Quebec gives their ships and their
21 turns and the ships going up, as well as the names of the
22 pilots. Three Rivers does the same thing for the ships
23 going down as well as the ships going up and we ourselves
24 give our ships going down, with the names of the pilots
25 and our turns.

26 THE CHAIRMAN: These are lists which
27 are exchanged between the Despatching Office in Montreal
28 and Three Rivers?

29 THE WITNESS: Yes, my lord.

30 MR. JACQUES: Now, this document here



French 1 I should like to file as Exhibit 553.

2

3

4

5

Q. Where does this document come from?

6

A. By teleprinter.

7

Q. And it is addressed from where to where?

8

A. We put on the line Three Rivers, Quebec

9

and Montreal, and at the same time Sorel, so they have the

10

name of the ships going up, because there are some ships

11

going to Sorel sometimes.

12

Q. So they put on the teleprinter at the

13

same time and what sequence is followed in the transmis-

14

sion of information? Who starts sending the messages?

15

A. Sometimes it is ourselves or sometimes

16

Three Rivers or sometimes Quebec.

17

Q. Now, this Exhibit 553 contains the turns

18

in Quebec?

19

A. Yes, they have two ships going up and

20

then if some pilots are passing, they are put on turn

21

because after this report we have to find our number of

22

pilots.

23

Q. Now, still on Exhibit 553, the first

24

mention is a turn in Quebec and then "Going up", "Turn

25

in Quebec", then under that you see "52", and the name of

26

the pilot. "Rosaire Arcand."

27

A. He is the first in turn and he has 52

28

turns to his credit.

29

Q. So the list of names following the figures

30

to the right, this is the number of turns of the pilot.



French 1 Here is the turns in Quebec, then you see under this list
2 "Going up".

3 A. That means that since their last report
4 they had two pilots who had left with ships.

5 Q. So you say "50, J. Leblanc, Sternecliffe
6 Hall 0215," what is this?

7 A. There is the name of the ship and the
8 time of his passage in Quebec, and the number of turns he
9 has had.

10 Q. Now, we come back to Exhibit 553, this
11 is done every morning at ten o'clock?

12 A. Yes, as much as possible, once a day.

13 Q. Is this done during the weekend ?

14 A. Yes.

15 Q. Saturday?

16 A. Yes.

17 Q. Sunday?

18 A. Yes.

19 Q. Holidays?

20 A. Yes.

21 Q. Now, we have come to example 45, "O.

22 HAMELIN"? Would you explain this?

23 A. We have here the name of the pilot in
24 turn. Here we have the pilots of ships. He we
25 have the name of two pilots who are absent for any reason.

26 Q. I see the first mention "41, C.A. Frenette,
27 absent"; then you have "45, O. Hamelin, Committee". Why do
28 you mention Committee?

29 A. Because he is absent for that day due
30 to the fact that there is a meeting and the Chairman has
something to do with the office, to sign cheques, or



French 1 something like that.

2 Q. Why not just say "Absent"?

3 A. I think it is better to give a reason,

4 when possible.

5 Q. Allow me to go back. I see "Sternecliffe

6 Hall, 0215". This is the time of the departure of the

7 "Sternecliffe Hall"?

8 A. Yes. It is either departure or passage

9 in Quebec.

10 Q. Then we find on the list "Vacancy", with

11 a list of pilots, the number of turns, the name of the

12 pilots. Then you see "A. M. the 5th"?

13 A. The pilots between themselves have an

14 agreement that certain days are days for rest. For May

15 and June, two days; July and August, five days; September

16 and October, three days, and three days also for May

17 and June.

18 Q. Do you mean days per month?

19 A. No. For two months. The figures are

20 given for two months.

21 THE CHAIRMAN: Plus Sundays? Counting

22 Sundays?

23 THE WITNESS: As far as the pilot is

24 concerned, there is no Saturday or Sunday.

25 MR. JACQUES: Then you mention "A.M.

26 the 5th".

27 A. This is the date of the vacation starting

28 at ten o'clock on the 5th.

29 Q. Does it start at a fixed time which is

30 ten o'clock?



French

1 A. Yes, at a fixed time, ten o'clock in the
2 morning, whenever we are not called before six in the
3 morning, or otherwise at six o'clock in the morning. If
4 they are called before six o'clock, the holiday is delayed
5 for a few hours.

6 Q. Following the examination of this docu-
7 ment, we see the Three Rivers turn and Quebec. The infor-
8 mation gives the name of the pilot, the number of turns?

9 A. At the bottom of the space is the pilots
10 arriving after midnight.

11 Q. Now, in the margin we are going to put
12 this. So, the list is the name of pilots with turns,
13 plus the number of pilots who arrive in Three Rivers
14 since midnight and the next thing is in turns at Montreal
15 from where?

16 A. From Three Rivers.

17 Q. And the list that follows is divided in
18 two with a space separated with an "X"?

19 A. That means that those pilots arrived
20 after midnight also and these two are reserved for Class A.

21 Q. And you indicate in red to the right of
22 three names, "Reserved Class A". It is already indicated
23 for two names. Then you see "Montreal". You are the
24 one who sends this?

25 A. Yes, that includes a turn, with a mention
26 saying that there is a Class A pilot set aside; the names
27 of those who are sick or absent or on holidays.

28 Q I see the name "Inquire Tremblay".

29 A. That means that Mr. Tremblay cannot
30 navigate at the present time.



rench

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Q. When was this message sent?

A. On the teletype. The message was cut here because there was another report which came after.

Q. What type of report?

A. Sometimes we ask each other for information between stations and even sometimes the Signal Agents avail us of the opportunity to have such-and-such a station on the line for such information.

MR. JACQUES: So, Exhibit 553 is a message giving the turns, Quebec, Three Rivers and Montreal, for July 2nd, 1963.

---EXHIBIT NO. 553: Message giving the turns, Quebec, Three Rivers and Montreal, for July 2, 1963.

Q. Now, where do you obtain information concerning absence, illness, holidays? Who tells you that?

A. Well, the pilots when they are called they have to report every day and we take a daily record of pilots who are absent or who come on duty, and make a report of that.

Q. This absence, what do absences cover?

A. That means absence or sickness or being at the Committee.

Q. We have seen that Committee Inquiry. Does it include illness?

A. Yes, illness and holidays, everything -- every time that a pilot is not available.

Q. So this list is made every day?

A. After reception of the report.



French

1 Q. Who tells you -- who puts the name on
2 the list? You are referring to Exhibit 552?

3 A. And also the list in Montreal. By
4 adding the number of pilots I have to arrive at my total
5 number of pilots. Let us say from Montreal it is 65
6 at the present time. Those that are absent, well, we
7 don't see them here, because the names are on the back
8 of the list, which is the reason for their absence.

9 Q. How do you know if somebody is absent
10 for sickness or holidays, or for the Committee?

11 A. Well, we receive a letter concerning
12 the Committee from the Pilots Committee. We receive
13 a notice about those who are absent for Committees a
14 few days before.

15 Q. Those who are absent for holidays?

16 A. Well, automatically when their holiday
17 turn arrives they are put out of the list on the back of
18 this sheet, and it is mentioned that they are on holiday.

19 Q. But how is that done automatically?
20 Who tells you that Mr. So-and-So is having his holiday
21 on such-and-such a date?

22 A. Well, we have a chart with the name of
23 each pilot, and the date of his holidays, covering the
24 whole year.

25 Q. Who does that?

26 A. It is the Pilots Association who does
27 that, and supplies us with that list.

28 Q. Is that done for the Quebec and Three
29 Rivers pilots?

30 A. As far as I am concerned, Montreal,



French 1 Three Rivers, and also Three Rivers and Quebec.

2 Q. So it is the Montreal and Three Rivers
3 which concerns you. Each despatcher has a list of holi-
4 days, a list of those who are absent to work on Com-
5 mittees, and those who are absent for sickness. Who
6 tells you that they are absent for sickness?

7 A. Well, you see, when they report as being
8 absent for sickness they are taken off the list.

9 Q. When they report absent for sickness,
10 this is the pilot, does he report absent himself?

11 A. Yes, or sometimes when we call him he
12 says that he is sick. His name is taken off the list
13 and it is put on the list of those who are on sick leave,
14 or absent for other reasons.

15 Q. Now, Exhibit No. 552, you are going to
16 write those indications on that list. You are going to
17 write on the list the pilots who are absent for sickness
18 or other reasons. You write that on the top of the list.
19 So it is not necessary to repeat all the names. Just
20 write as a total list of pilots who are absent on the
21 back of Exhibit No. 552.

22 A. (The witness complies.)

23 Q. Exhibit 552, list of pilots going up
24 and going down, when is this list prepared?

25 A. Well, around ten-thirty, after receipt
26 of the general reports from the stations.

27 Q. Now, if you want we will examine this
28 list. The second column indicates turns at Three
29 Rivers, so that the information which we find on Exhibit
30 No. 552, did you obtain this information from the



French 1 teleprinter report which we examined a minute ago?

2 A. That is right.

3 Q. Well, I think the one we saw was not
4 for the same day. Now, the right-hand column which
5 says "Pilot", could you explain this?

6 A. Well, in this column we have the name of
7 the pilot, with the name of the ship that is being taken
8 down the river by the pilot, the number of turns of the
9 pilot, the time of departure, and the destination here.
10 Departed Welland, destination Sorel, and this trip
11 will make 51 turns for the pilot.

12 Q. So the departure out is Montreal or
13 Sorel, with Three Rivers as destination?

14 A. Yes.

15 Q. Is the destination always Three Rivers?

16 A. Well, sometimes it is Sorel.

17 Q. Well, it is a ship going down the river.
18 Then I see 1030 going to Sorel ---

19 THE CHAIRMAN: Before going any further,
20 could you please show the exhibit to the other counsel,
21 because I think it is quite difficult to understand
22 without seeing it. Maybe you can give them some
23 explanation.

24 Q. Always in relation to Exhibit 552, the
25 right-hand column, this is the names of the pilots, with
26 the number of turns and the mention bus, 1540 to TR which
27 must be Three Rivers. Could you explain this, please?

28 A. This comes from the fact that we had
29 received a request from Three Rivers asking for five
30 pilots because of the needs at that place.



French 1

Q. So you take five on the list?

2

A. Yes, those pilots were assigned for

3

1540, 1410, different times, so we have given those

4

five pilots starting from the second on the list.

5

Q. Now, the right-hand side and the left-

6

hand side columns, on Exhibit No. 552. When do you

7

prepare this?

8

A. As soon as we receive the general re-

9

port.

10

Q. How do you obtain the information of

11

the name of the pilot and the name of the ship? This

12

was not indicated on the report you showed a while ago.

13

You said a while ago that you had on the ten o'clock

14

report the name of the ship, the time of departure, the

15

time of passing Three Rivers or Quebec, and the name of

16

the pilot?

17

A. When a ship goes by or leaves at

18

Three Rivers, Three Rivers sends to us on the teleprinter

19

a message which has come from the Signal Service, as

20

for the Pilotage Service, such-and-such a ship left at

21

such-and-such a time with this pilot.

22

THE CHAIRMAN: The pilot who goes aboard

23

at Three Rivers, because I understand that the pilot who

24

goes aboard at Quebec, and gets off at Three River.

25

THE WITNESS: That is right, my lord.

26

Now, the Signal clerk has this report, which indicates

27

for him the time of passage or departure of such ship,

28

and he gives us the sheet, and we enter, we register

29

this new ship going out or this new ship going down the

30

river.



rench

1 Q. But at what time does this list start?

2 A. At ten o'clock in the morning. So
3 if we take this list, we know that at ten o'clock we have
4 all the ships proceeding up or down the river.

5 Q. All those names here?

6 A. This one is going down. The other
7 ones are added afterwards, when we are informed of any
8 departures.

9 Q. They are added when the events take
10 place, right?

11 A. Well, besides that, you see here this
12 list goes on till the next day at ten o'clock in the
13 morning, so the next day at ten o'clock I add those
14 which are not stricken out on this sheet here. They
15 have not arrived in Montreal yet, so on my new report
16 I put them as going up the river.

17 Q. So in the left-hand side column the
18 entries which are stricken out, what does that mean?

19 A. This means that the pilot has arrived
20 in Montreal, or has reported to our office, and he is
21 put back on the general list.

22 THE CHAIRMAN: This means that on that
23 day he has arrived. You will not take them off this
24 list next day. You make a new list every day?

25 THE WITNESS: Yes.

26 THE CHAIRMAN: So those that aren't
27 stricken out of the list can be considered as going up
28 the river?

29 THE WITNESS: That is right, my lord.

30 Q. In the centre column you have some names



French 1 which have been stricken off?

2 A. Yes. Take Vallier. He was first on
3 the list.

4 Q. If I understand properly, your explanation
5 of this means that for July 2nd Mr. Vallier was the
6 first one on the list at ten o'clock in the morning. He
7 was at his 50th turn. He went aboard the "Baymaster",
8 which was his 51st turn. This is indicated after the
9 name "Baymaster", and that on the same day he arrived
10 in Montreal?

11 A. Well, he arrived in Montreal either the
12 same day or the next day before ten o'clock.

13 Q. But during the same 24-hour period?

14 A. This is right.

15 Q. Now, when Three Rivers requests some
16 pilots from you, let us say they ask for five pilots,
17 like in the example which we have in Exhibit 552, do
18 you verify if they really need five pilots?

19 A. Well, you see, it is difficult for me to
20 do that. The person who is in charge in Three Rivers
21 has the same authority as I have, and I am not qualified
22 to give him any orders, and as far as I am concerned, if
23 I have pilots available to send to him without being
24 short, I just have to send them to him, because I can't
25 give orders to him. He has the same rank as I have, and
26 I have no authority over him.

27 Q. Now, if you are short of pilots, what
28 do you do?

29 A. Well, in that case there is discussion,
30 and if I can't send any pilots I don't send any.



French 1

Q. Has this taken place so far?

2

A. Oh, yes, it has taken place already.

3

Q. So what happened?

4

A. Well, so he probably managed in some way or other. If it is an extreme case the ship will wait.

6

Q. Have you had to call a pilot who didn't have ten hours rest?

8

A. Yes.

9

Q. Does this take place often?

10

A. Well, as much as possible we try to forecast those cases, but sometimes we have some departures which we didn't expect, and there are so many of them that we are on the spot.

14

Q. Did this take place this year at the beginning of the season?

16

A. Yes. This doesn't happen too often.

17

Q. How many times since the beginning of the season?

19

A. I couldn't tell you, but I know that yesterday while I was here we had to ask certain pilots to go aboard ships before they had their ten hours' rest. We had them in Three Rivers but they couldn't reach Montreal in time by bus.

24

Q. You have another document, which I would like to deposit as Exhibit No. 554, which is called Daily List of Absences, dated June 19th, 1963?

27

A. Yes.

28

---EXHIBIT NO. 554: Daily List of Absences, dated June 19th, 1963.

30



French 1 Q. You have referred a while ago to this
2 document, and I see that this is divided into four
3 columns, first the name of pilot, date and hour of com-
4 mencement of absence, date and hour of end of absence,
5 and the reason for absence. You told me a while ago
6 that in the case of a sick pilot it is the pilot himself
7 who reports?
8 A. Yes.
9 Q. Does he report to you?
10 A. Well, to the clerk who is in charge.
11 Q. In Exhibit No. 554, could you tell me
12 which absences are entered on this list?
13 A. Any kind of absence.
14 Q. Any kind of absence. Or absence for
15 vacation, according to the list which is given to you by
16 the Pilots Corporations?
17 A. Yes.
18 Q. Absence for work on the Committee. This
19 is also given to you by the Corporation?
20 A. Yes.
21 Q. And absence for sickness, which is indi-
22 cated to you by the pilot?
23 A. Right.
24 Q. Now, I have heard mention of half turns,
25 half trips?
26 A. We consider as a turn Montreal, Three
27 Rivers, Three Rivers, Montreal, or Montreal, Sorel, or
28 vice versa, as one turn. For a trip like Montreal,
29 Contrecoeur and vice versa, one way we call it half a
30 trip, half a trip to go down and half a trip to go up.



rench 1 In one case, a liner for instance is going up the river,
2 and has to anchor at Lanoraie to wait for the time which
3 is provided to come to the pier the next day.

4 Q. So Three Rivers to Lanoraie is half a
5 trip, Lanoraie to Montreal is half, so you have four
6 cases, Montreal Contrecoeur, Montreal Sorel, and Lanoraie
7 Montreal, which are half turns?

8 A. There is something else on this. If
9 a ship is at Lanoraie and I send a pilot by bus or train
10 to go aboard that ship, then we grant him a full turn.

11 Q. So you grant a full turn from Lanoraie
12 when the ship is anchored at Lanoraie you grant half a
13 turn if it is the same pilot which took the ship from
14 Three Rivers to Lanoraie, but if you send another pilot
15 to go to Lanoraie by train or bus you charge a full
16 turn?

17 A Yes.

18 Q. Do you send a harbour pilot to Lanoraie?

19 A. No, sir.

20 Q. Do you send a river pilot?

21 A. Yes. The limits of the harbour are
22 further, but the harbour pilots only work within the
23 harbour itself.

24 Q. So it is a river pilot who will go and
25 get the ship at Lanoraie?

26 A. Yes.

27 Q. Now, this list which you have produced
28 a while ago, the list of turns going up and down, and
29 the list of absences?

30 A. Yes.



ench

1 Q. Do you always do that yourself?

2 A. Yes.

3 Q. Is everything indicated on this list?

4 A. Yes, every morning when the report is
5 prepared I necessarily must find my exact number of
6 pilots.

7 Q. What happens if you are missing a pilot?

8 A. Well, we look for him.

9 Q. Has it ever happened that you have lost
10 a pilot?

11 A. Yes, sometimes we have him on the list
12 of ships going down the river, and he might have for-
13 gotten to report when he arrived in Montreal, and we see
14 that the ship has already gone past Three Rivers and
15 they don't have him on their list, and sometimes they
16 are requested for a ship, and the ship isn't specified.
17 It is just a request to go aboard. Sometimes they
18 wait until they give us the name as going up. They
19 wait until the time that the ship goes by Three Rivers,
20 but they are not lost for a very long time after ten-
21 thirty. We can trace them.

22 Q. Are there any measures which are taken
23 to ensure the accuracy of the information which you re-
24 ceive as far as the draught and as far as the tonnage
25 of the ship is concerned? Let us take the tonnage.
26 Do you have anything to do with the draught?

27 A. Well, I assign the class of pilots
28 aboard the ships, yes.

29 Q. Now tell me, what is done to check the
30 accuracy of such information?



French 1 A. We will refer to Lloyds Index, except
2 if the company advises after that there has been a change
3 in the registered tonnage.
4 Q. And how do you obtain the draught of the
5 ship?
6 A. By consulting the Index.
7 Q. The draught?
8 A. Well, for the draught, no. For draught
9 at departure we always ask the agent to give us the draught.
10 He gives us an approximate draught, as he must order his
11 pilot two hours ahead of time, and the loading of the
12 ship isn't completed, so he can't give us the exact
13 draught at the time of departure.
14 Q. So he gives you an idea of the draught?
15 A. Yes, approximately.
16 THE CHAIRMAN: The draught has nothing
17 to do with the class of pilots. It is only the tonnage
18 which determines the class of pilots. The only diffi-
19 culty which I can see is that if there was a difference
20 between Lloyds Index and the tonnages indicated on the
21 cards which are handed in by the pilots when they return.
22 If you want to come back to the previous explanations?
23 Q. But as far as you are concerned the
24 tonnage which you get from the Lloyds Index, when this
25 is not the same as the one which you have on the card
26 which the pilot gives you when he returns, what happens
27 in such cases?
28 A. Well, this is not in my jurisdiction,
29 but the accountant charges ---
30 THE CHAIRMAN: Of course, I understand



French

1 the witness doesn't know because he has not received the
2 source form, so in order to despatch the pilot what
3 could happen, if I understand correctly, is that you might
4 send a Class B instead of a Class A, because the ship has
5 not declared the right tonnage.

6 MR. JACQUES: Yes, it happened the
7 other day here, your lordship, with a new ship. It was
8 a Class A ship and the pilot went with the ship with no
9 complaints from anybody.

10 Q. In the Montreal harbour do you proceed
11 in the same way?

12 A. For the list for the harbour of Montreal,
13 the list is made at twelve o'clock. All the pilots that
14 are available on the list, that means excepting those who
15 are on duty, they are all adjusted at noon, according to
16 the number of movages which they have made.

17 Q So yesterday you have explained this in
18 the following manner, that the one who has the smallest
19 number of turns becomes second on the list, and you keep
20 one as first?

21 A. Yes.

22 Q. So for the Montreal harbour they are all
23 adjusted, even the one who is first on the list?

24 A. Yes, this is indicated in the Montreal
25 Harbour Bylaws.

26 MR. JACQUES: My lord, I want to
27 have these bylaws explained and produced by Mr. Melanson,
28 who is the local Supervisor, and I would like to wait for
29 Mr. Melanson's testimony before producing this Exhibit
30 before the Commission.



French 1 Q Every day at noon you take the one who
2 has the smallest number of turns, you put him first on
3 the list, and so forth. If you have some who have the
4 same number of turns, you take the one who reported
5 earliest?

6 A. In addition to that there is something
7 else. This is at the preparation of the list. If at
8 any time after that a pilot has three turns below the
9 average, when he reports he is put second on the list.

10 Q. Automatically?

11 A. Yes.

12 Q. Is there a similar rule for the river
13 pilots?

14 A. No.

15 Q. So someone who has been sick for
16 several days is almost sure to come back second on the
17 list?

18 A. Well, this of course is a little bit
19 out of my field, because this is under the jurisdiction
20 of the Pilots Committee, because if he is sick his
21 salary is off, so they allow them turns for the time
22 that they have been absent. They send me a letter to
23 that effect, to add so many turns to such a pilot.

24

25

26

27

28

29

30



French 1

Q. So you are the one who calculates the
2 number of turns allocated for their absence?

3 A. No.

4 Q. The number of turns which you have indi-
5 cated on the documents which have been produced, where
6 does this come from?

7 A. This is the number of turns, trips,
8 which have been registered, and in addition to that if
9 they have some trips which are allotted to them for
10 sickness, the number of turns is indicated to me by a
11 letter from the Pilots Association.

12 Q. And you have the real number of turns
13 which have been accomplished by the pilots; is that right?

14 A. And in addition to that, if some turns
15 have been added, I also have this number.

16 Q. Now, can you make a difference between
17 these two categories of turns, those which are real and
18 those which have been added?

19 A. Certainly. This is the register, the
20 book for last year.

21 THE CHAIRMAN: We will adjourn now for
22 a few minutes, and this can be explained afterwards.

23 ---Short recess.
24

25 MR. JACQUES: Now, in order to illus-
26 trate the evidence of witnesses on Exhibit 552, a list of
27 Going Ups and Going Downs, I see circled in red the name
28 of the pilot/and the number of turns for Three Rivers and
29 the ship's name and the number of turns in the list of
30 Going Ups.



French

1 Q. Now, Mr. Viau, you have in front of you
2 a book containing a certain amount of information related
3 to pilotage. Can you briefly describe this notebook?

4 A. In this notebook I have the names of
5 all the pilots on duty in the Montreal and Three Rivers
6 Districts.

7 Q. Does that include the Port of Montreal?

8 A. Only river pilots. Now, for harbour
9 pilots I have another book, and the same thing for the
10 Cornwall pilots. In this record, the turns and the name
11 of each pilot are noted.

12 Q. You start a page with the name of a pilot?

13 A. Let us take, for example, Rosario Houde
14 March 21, one turn Maple Brance Oil.

15 Q. Now, we are going too fast. This book
16 contains all work done by each pilot during the naviga-
17 tion season?

18 A. Yes.

19 Q. Do you start a new book with each
20 navigation season?

21 A. Yes.

22 Q. This volume contains the name of each
23 pilot?

24 A. Yes.

25 Q. Do you have a certain number of pages
26 for each pilot?

27 A. Yes.

28 Q. And under the name of each pilot, what
29 information do you give?

30 A. Yes.



French 1 Q. You start it with a given date and a turn?
2 A. We record all the trips made by that
3 pilot.
4 Q. So each page is divided, with the left
5 column indicating the month and the day, the next column
6 indicating the number of turns of the pilot?
7 A. And then the ship going up, a ship going
8 down.
9 Q. And on each trip made by a pilot you enter
10 the date?
11 A. Yes.
12 Q. The number of the trip or number of turns
13 and the name of the ship?
14 A. That is right.
15 Q. If it is going up, you put that in the
16 left column and if it is going down in the right column?
17 A. Yes.
18 Q. Now, I note that entries made in this
19 book are sometimes in different colours. Can you explain
20 the differences between colours?
21 A. This is to help us, because this page
22 is in the name of a pilot in Class A. So, I inscribe
23 in red the number of Class A ships because I have to be
24 able to control the number of these particular turns.
25 The ships in general turn terms are in one colour, and the
turns for sickness, accidents or holidays given by the Pilots
27 Committee are inscribed in red ink and this is to
28 simplify the work that we have to do after the season.
29 Q. I notice that sometimes next to the
30 ship's name you have the letters "MC", "MS", "SR", "Lm",



French 1 "CM", "SC", "RL". What does that mean?

2 A. When there is no letter, it means a
3 direct trip, Montreal-Three Rivers or Three Rivers-
4 Montreal. If there is a stop at an intermediate spot
5 or an anchorage between Montreal and Three Rivers, then
6 we indicate the arrival and departure: RS , Three
7 Rivers-Sorel.

8 Q. What does "M" mean?

9 A. "M" means Montreal.

10 Q. And what does "L" mean?

11 A. Lanoraie.

12 Q. And "S"?

13 A. Sorel.

14 Q. Are there other letters used?

15 A. Yes. We have "V" for Varrenes.

16 Q. So what about Montreal-Varrenes, is that
17 considered as a turn?

18 A. It is considered as a half turn and
19 the same thing for a trip in the other direction.

20 Q. And from Three Rivers to Varrenes?

21 A. That is considered as one turn.

22 Q. Now, I show you this book. Have you
23 prepared extracts concerning Pilot Omer Arcand?

24 A. I have been asked to prepare, or rather
25 to try to find the pilot who worked most during one
26 month. This is rather difficult to find.

27 MR. JACQUES: Excuse me. I should like
28 to file this as Exhibit No. 555. The title of the
29 document is "Extract of Records giving Number of Trips
30 made by one Pilot on Section Montreal-Three Rivers for



French 1 the month of August, 1962."

2
3 ---EXHIBIT NO. 555:

Extract of records giving
number of trips made by one
pilot on Section Montreal-
Three Rivers for the month
of August, 1962.

4
5
6 Q. Will you explain this document? The
7 column on the left contains the name of the month and
8 the date. Then the next column gives the ship's name.

9 A. The next column is divided into the
10 departure point and arrival point.

11 Q. "M" means Montreal?

12 A. "R" means Three Rivers. "C" is
13 Contrecoeur.

14 Q. The next two columns to the right, what
15 do they have?

16 A. Departure time and arrival time.

17 Q. Where have you obtained these times?

18 A. On the chart submitted by the pilot.

19 Q. I am showing you here a copy of a card.
20 Will you please tell me if this is the one used in
21 Montreal?

22 A. Yes.

23 Q. Will you indicate who has written in
24 ink on this card?

25 A. This is a copy I made myself of an
26 ordinary card.

27 MR. JACQUES: I should like to file
28 as Exhibit No. 556, a copy of a card used in the District
29 of Montreal, called in English, "Pilot's Source Form."

30 ---EXHIBIT NO. 556:

Pilot's Source Form.



French 1 Q. Will you please explain this form?

2 A. "District" -- well, it is the Montreal

3 District in this case. Then there is the name of the

4 ship. The second line, the pilot's number, the number

5 given to each pilot according to seniority.

6 Q. So this one is what?

7 A. No. 112. "M" means District of

8 Montreal. If he is from Cornwall, it would be "C",

9 "MH", Montreal harbour.

10 Q. What about those between Quebec and

11 Three Rivers?

12 A. It is the Montreal District.

13 Q. Go on.

14 A. Nationality of ship, Norwegian; agent,

15 Canadian Shipping, giving the tonnage and draught and

16 indicating it is one trip.

17 Q. Trip moveage and attention?

18 A. That is only one trip in this case.

19 Place boarding ship, Montreal; date, 9th July, 1963;

20 time ordered, 16 hours; time reported, 1655; sailing

21 time, 1700.

22 Q. Time reported, where is that?

23 A. This ship was ordered for 17 hours.

24 We ordered the pilot at 16 hours. The pilot arrived

25 on board at 1655. He was in time for the sailing.

26 Q. I do not understand very well. You

27 have "Ordered time", "Reported time", "Sail time".

28 I think this is filled in by the pilot?

29 A. No.

30 Q. The time indicating sailing time or



French 1 sailed time, is that the time of the real departure of
2 the ship?
3 A. Yes, that is the real departure time of
4 the ship.
5 Q. And according to this form, can you
6 place the time you were informed at what time the ship
7 would leave?
8 A. No, not on this card. We have that in
9 another book.
10 Q. Please go on.
11 A. "Left ship Three Rivers, 9th July, 1963,
12 2140", signed by the pilot. Then the name of the
13 apprentice, if there is one on board. Then the signa-
14 ture of the master. Then you have a place you indicate
15 whether the ship has anchored for any reason, either for
16 weather conditions or mechanical trouble.
17 Q. Now, the space indicating "Remarks",
18 what do you do in this space?
19 A. This can be used, for instance, if the
20 pilot goes to get a ship in the Seaway, there is an
21 additional charge for getting the ship out of the Seaway,
22 which goes to the pilot. If he has been ordered to do
23 that, in that case he indicates under "Remarks" that this
24 has taken place.
25 Q. What about the right-hand side of
26 this card?
27 A. This is for accounting purposes.
28 Q. If you want now, we will come back to
29 Exhibit 555, concerning Mr. Omer Arcand. You have said
30 that the time figure on the right-hand side are the times



French 1 which appear also on the Pilot's Source form. Do those
2 Pilot's Source forms exist in French, Exhibit 556?

3 A. No.

4 Q. According to the information you have
5 prepared, you have said that this pilot seemed to be the
6 most called on pilot in the month of August?

7 A. It seems to me only, it seems to me the
8 busiest pilot.

9 Q. Can you tell me if the example that we
10 give as representative of the work done by the pilots in
11 the Montreal-Three Rivers section ---

12 A. This is how I received it. I went
13 through the book I had a while ago.

14 Q. Could we give a name to this book?

15 A. It is the pilot turn book.

16 Q. And this book contains for each season
17 and for each pilot the detail of the work he has done,
18 the number of turns, the holidays he has had, the sickness,
19 the names of the ship, and if they are Class A, or any
20 other class?

21 A. Well, it is called Pilot Turn Book. I
22 have consulted this book briefly to find out which pilot
23 had had more trips during any given month, and I found
24 for Mr. Omer Arcand, 24 trips in August, 1962. Some have
25 22, 23 trips. Perhaps those who had 22 trips had spent
26 more time on board than Mr. Arcand, but I couldn't check
27 that. This depends on ships going from Montreal-Three
28 Rivers, and will take 12 hours, and another one will only
29 take 5 or 6 hours, so there is a difference.

30 Q. Is Mr. Arcand in Class A?



French 1 A. No, he is Class B. I am going to
2 write next to Mr. Arcand's name, Class B, in red.
3 Q. Mr. Arcand is a Class B pilot. Can
4 you tell us what is the maximum tonnage of the ships he
5 can pilot?
6 A. Up to 7,000 tons.
7 Q. It would be 7,000 tons net?
8 A. Yes.
9 Q. So that makes a total of 168 hours,
10 40 minutes pilotage hours?
11 A. For August, yes.
12 Q. Would there be a means of establishing
13 the actual number of hours which this pilot waited for
14 ships?
15 A. All this list -- these are the working
16 hours. The detention hours are not mentioned here.
17 Q. I am referring to Exhibit No. 555. We
18 have 1430, that would be time sailed, on the form. Is
19 it possible for the pilots to have arrived on board a
20 long time before the ships departed?
21 A. Yes.
22 Q. Is it possible to determine the number
23 of hours spent waiting with the records that you have?
24 A. Yes, but you had asked me the number of
25 hours of work.
26 Q. Exactly, but it is possible, neverthe-
27 less, to find the other information?
28 A. Yes, because we have on the pilot
29 source form the reported time of the pilots and
30 normally that is usually the time at which the pilot is



rench 1 requested to come on board. If he has been requested
2 for five o'clock in reported time he will put five
3 o'clock, and if the boat leaves at six-thirty, well,
4 at sailing time he will put six-thirty.

5 Q. Now, you are going to take this back
6 with you, and you are going to enter the time reported?

7 A. Well, this can be done in a few minutes.
8 No, we will ask for that only for September.

9 THE CHAIRMAN: Now, time reported,
10 to what extent is this going to help us? Can he
11 report before his time? The most important thing
12 would be to indicate, and to know, the time required
13 to go to his work. For instance, if he has to go to
14 Three Rivers or Sorel you have to take into account
15 his travelling time. I wonder whether we shouldn't
16 wait for the evidence on the part of the pilots? I
17 think they will be prepared to do that.

18 MR. JACQUES: Yes, my lord. If I
19 might suggest, Mr. Arcand himself would be willing to
20 complete the information in Exhibit No. 556, and this
21 could indicate the time reported, and Mr. Arcand, the
22 pilot, can indicate the approximate time he left his
23 domicile to go aboard, and give the same information
24 for Three Rivers.

25 THE CHAIRMAN: On Exhibit No. 556 the
26 time reported is five minutes before the sailing time.

27 MR. JACQUES: Yes, my lord, but by
28 asking the witness, we can ask if it is usually five
29 minutes or more than five minutes difference between
30 time reported and sailing time.



French 1 THE WITNESS: Well, there is usually
2 a difference if there is a detention.
3 Q. Can you tell us the average time spent
4 between time reported and time sailed?
5 THE CHAIRMAN: Well, what would help
6 us would be to say when there has been detention how
7 long, and on the form I think there is an indication for
8 that, and where there is no detention on a pilot, if he
9 wants to arrive fifteen minutes before -- some like to
10 arrive at the last minute, and some like to arrive
11 fifteen minutes before. This doesn't change it. It is
12 up to them to organize themselves.
13 MR. JACQUES: I suggest that we make
14 a copy of these pilot's forms for the trips indicated
15 in Exhibit No. 555, and in that case we would know what
16 happens every time when a pilot is ordered, the time he
17 has reported on the ship, and, yes, or no, if there has
18 been detention.
19 MR. LANGLOIS: But if the detention is
20 less than an hour it would not be indicated on the card.
21 MR. JACQUES: Time reported and time
22 sailed. If it is less than an hour there won't be
23 detention.
24 THE CHAIRMAN: Yes, we will listen to
25 Mr. Omer Arcand later on as to what has happened, and he
26 will give us a full example of this. I think this is
27 a good suggestion. We could have copies of source forms
28 for the thirty trips which appear on Exhibit No. 555.
29 MR. JACQUES: This will be presented in
30 a bundle with Exhibit No. 555.



French 1 MR. BRISSET: My lord, if I may make
2 another suggestion, that the witness has in another book
3 the time at which the pilot has been required, and if he
4 can also give this information.

5 THE CHAIRMAN: This is indicated in the
6 source form, time ordered.

7 MR. BRISSET: The time for which it is
8 ordered, or the time ordered?

9 THE CHAIRMAN: Will you ask the
10 witness.

11 Q. On the source form do you indicate the
12 time at which the pilot has been requested to report?

13 A. Yes, this is indicated on the card.

14 THE CHAIRMAN: On Exhibit 556 you have
15 time ordered 16 hours. He had been asked to report at
16 16 hours, is that it?

17 MR. JACQUES: If the Court please, may
18 I interrupt the witness? The witness has another book
19 containing the mention by which the pilot has been
20 ordered, the name of the ship, the title of the person
21 who has ordered the pilot, for instance, second mate,
22 departure of the ship, the destination, if, yes or no,
23 pilot required, the name of the pilot, the draught, and
24 the time at which the order was given to the pilot to
25 go to the ship.

26 So this information could be combined
27 with the source form.

28 THE CHAIRMAN: The extract of this
29 volume relating to the thirty trips indicated for Mr.
30 Arcand on Exhibit No. 555, and I think in order that we



French 1 will have all the background, at what time the order
2 has been given to the pilot, the time he was told to go
3 on the ship, at what time he really arrived on the ship,
4 and at what time the ship left.

5 MR. LALONDE: Well, that is one point,
6 but there might be misunderstanding. On this form it
7 says Ordered Time. I am convinced, and I am informed
8 that ordered time is the time at which you call the
9 pilot. If you call the pilot at four o'clock we would
10 put four o'clock.

11 THE CHAIRMAN: So at four o'clock the
12 pilot would be ten hours before -- I have said for a
13 Class A it would be ten hours before?

14 MR. LALONDE: Well, my lord, in any
15 case there has been quite a lot of confusion concerning
16 what these cards mean, and I think we should have all the
17 documents concerning the question.

18 THE CHAIRMAN: We will try to clarify
19 the matter when we have all the documents at hand.

20 MR. LANGLOIS: Could we have the infor-
21 mation concerning the time of travel spent by the pilots,
22 because some pilots have to come back to Montreal?

23 THE CHAIRMAN: I don't think it is this
24 witness who will give that, but the Pilot Arcand himself.
25 By studying each trip we can find all this information.

26 MR. LANGLOIS: I wonder if the pilots
27 keep records?

28 MR. JACQUES: Well, my lord, I can
29 suggest something that will be more complete. That is
30 for the witness to prepare copies for each of these dates



French 1 of the information given by the teleprinter each morning
2 at ten o'clock.

3 THE CHAIRMAN: I think that is going
4 to be very complicated. I wonder what he is going to
5 give us.

6 MR. JACQUES: Well, we will see in
7 what place Mr. Arcand was on his turn on each date. We
8 will be able to see if Mr. Arcand has travelled between
9 Three Rivers and Montreal by train or bus, or other means,
10 where he had to go, especially to Three Rivers, in order
11 to board a ship.

12 THE CHAIRMAN: So we have to have a
13 copy of the list of turns for each trip, that is 25 of
14 these lists, because some days he had less trips. So
15 perhaps we could have photostat copies of these made.

16 MR. JACQUES: Now, I suggest to my
17 friends that if they need any other information they could
18 ask Mr. Arcand to come.

19 THE CHAIRMAN: Mr. Arcand will probably
20 come to explain from his own records any additional infor-
21 mation which might be necessary.

22 Q. Now, Mr. Viau, this book, what do you
23 call it?

24 A. The Order Book.

25 Q. Could you briefly explain what it con-
26 tains?

27 A. This is used to register all the orders,
28 all departures. This is the order book for the river
29 pilots, from Montreal and Three Rivers. This indicates
30 all the orders, requests which we have received.



French 1

Q. Since when?

2 A. From July 20th, 1962 to October 30th,
3 1962. We ordinarily use about two or three books per
4 year, per navigation season.

5 Q. Now, before we go on with this book, I
6 show you a document, and will you please tell me what this
7 represents?

8 A. This is for the case of a ship reques-
9 ting for a date which is very far away. In this case
10 this is a request for the "Carmania", a Cunard ship, a
11 liner, which will leave tomorrow at 11.15 a.m., and the
12 request was received yesterday morning at 11.40 a.m.

13 Q. Just a minute. This is a form which
14 is reproduced on the order book?

15 A. It is exactly the same form, yes. The
16 same form. The fact that we write it on a sheet of paper
17 is because the request has been received two days ahead
18 of time. If I wrote this in the book ---

19 Q. Just a minute. So this is a form which
20 is reproduced in your order book, and it reads as follows"

21 "From; ship's name; time; to
22 destination; grade pilot required;
23 draught; pilot's name; ordered at".

24 This is the text of the form. Now, this form which we
25 find on this sheet of paper and in the order book, who
26 completes this form?

27 A. Well, the clerk who is on duty at that
28 time at the Pilotage Office. The clerk in charge of
29 despatching at that time.

30 THE CHAIRMAN: Did you file that form



French 1 as an exhibit?

2 MR. JACQUES: Yes, I will. I am sorry
3 if I didn't start properly, my lord.

4 Q. This is filled in by the clerk. Now,
5 where does he get the information in order to be able
6 to fill this document in, the book or the sheet?

7 A. In this case it is Mr. Lacroix, who
8 works at the Cunard Company, who gives the orders for
9 the Cunard ships. He called us at 11.40 a.m. on
10 the 10th of July, so the date you see here is Mr. Lacroix
11 from Cunard Ship Lines, the ship's name, from Shed No. 3;
12 (2) is the destination, sea, time 11.15. This is the
13 time of departure which is indicated to us. They give
14 us the approximate draught, 24 feet, and the grade of
15 pilot required. This is given only for pilots going
16 up the seaway. The pilot's name, this we will have to
17 fill in. The order will be given at 9.45 a.m. tomorrow
18 morning, an hour and a half before the expected time of
19 departure.

20 MR. JACQUES: I would like to submit this book
21 as an exhibit.

22 ---EXHIBIT NO. 557: Specimen of the Register
23 Book of Requests for Pilots.

24 Q. Now, in your order book the form which
25 was submitted as Exhibit No. 557, what is printed in red
26 there is reproduced in your order book?

27 A. Yes.

28 Q. And as you receive requests for pilots
29 you complete this form, you indicate the time at which
30 you received the order, the date, the name or position



French 1 of the person, or the name of the agent who requests the
2 pilot?

3 A. Yes.

4 Q. The name of the ship, the place of depart-
5 ture, that means the place where the pilot should go
6 aboard, so it could be Seaway, St. Lambert Lock, a
7 section in the harbour of Montreal, a shed, and (2) is
8 the destination of the ship, and after that you have an
9 hour which is indicated. This is the expected time of
10 departure. It is the time at which the ship is
11 scheduled to leave?

12 A. Yes, this is the time which we calcu-
13 late afterwards, if the ship has been detained after the
14 expected time of departure.

15 Q. So you are expected to send a pilot to
16 such-and-such a ship at such-and-such a time?

17 A. Yes.

18 Q. In which case do you put pilot not
19 required?

20 A. Well, we have the same stamp. This is
21 used for Montreal, Cornwall, Great Lakes pilot not
22 required.

23 Q. So, if a Great Lakes pilot is not re-
24 quired going up to Cornwall you would put the indication
25 yes or no?

26 A. Well, when we send our reports to
27 Cornwall we add this information. This is used to
28 indicate if they will need pilots higher than Cape
29 Vincent, because certain ships have licences to go on
30 the lakes.



1 Q. The draught of the ship?

2 A. Normally, yes.

3 Q. You have it in all cases?

4 A. Well, when it is only small ships, lake
5 ships, then the draught is not important. The draught
6 is important for ships which have a large draught.

7 Q. Now, in addition to that you have a
8 mention, pilot's name?

9 A. Well, the name of the pilot who has been
10 ordered to go aboard this ship.

11 Q. Who has chosen this pilot?

12 A. Well, according to the list.

13 Q. When you receive the request do you
14 enter the pilot's name right away?

15 A. No, we enter the name of the pilot at
16 the time the pilot is ordered to go aboard that ship,

17 Q. And under the pilot's name you have the
18 entry, ordered at --

19 A. This is the time that the pilot has been
20 advised to go aboard that ship.

21 Q. Is that the time at which you phone the
22 pilot?

23 A. Yes, one and a half to two hours before
24 the expected departure time. According to the place
25 where the ship is.

26 Q. I have an example here. September 4th,
27 1962, you have been requested for a pilot at 6.30 a.m.,
28 with the name of the agent, and the name of the ship was
29 the "Elmdale"?

30 A. No, this is not entirely a record of



French 1 requests. This is a request coming from the Seaway at
2 6.30 a.m., Cote Ste. Catharine Lock, CSC means Cote Ste.
3 Catharine, and it tells us that the "Elmdale" is
4 passing through Cote Ste. Catharine Lock. In this case
5 we mention Seaway River. In that case we order the
6 pilot immediately we know the ship is going through
7 Cote Ste. Catharine. The average time for a ship from
8 Cote Ste. Catharine to St. Lambert is about one and one-
9 Half hours. Therefore the pilot can be on time at
10 St. Lambert Lock.

11 Q. Now, you started to write what you
12 were doing when a ship was ordered several days ahead
13 of time, and you told us you were using the Form Exhibit
14 No. 557. Can you tell me when you used it, and why?

15 A. In the case of a request which is
16 received quite ahead of time, it would not be possible
17 to enter such an order in the book after the others,
18 because it would be last as far as time is concerned.
19 When we come to the time of departure of the ship, and
20 we have to order the pilot for the ship, this request
21 would be three or four pages behind, so in this case
22 we use this form, Exhibit No. 557, and we clip it two
23 or three pages further than the page which we have
24 reached in the book, and when we keep filling the order
25 book we move this order with the clip back until such
26 a time as we reach the time to order the pilot, and at
27 such time we recopy this order into the book. This is
28 done to make sure that we don't forget this order.

29 MR. JACQUES: Would the Commission want
30 to have the photostats of pages of the different books



French 1 which we have referred to, a photostat of one page only
2 as an example?

3 THE CHAIRMAN: Yes.

4
5 ---EXHIBIT NO. 558: Photostat copies of pages of
6 the following registers: the
7 Book of Assignments of Pilots;
8 the Book of Orders for Pilots;
9 the Book of Arrivals and Departures of Pilots.

10 MR. JACQUES: These documents will be
11 explained later on, your lordship.

12 Q. Now, could you explain to us the contents of the book of departures and arrivals of pilots?

13 A. This book is used to control the time
14 at which the pilots report and the time of their departure.

15 Q. Yes, and at which date does this book
16 start?

17 A. It goes from June 20th, 1961, until
18 the end of the 1961 season.

19 Q. And each date is divided into several
20 columns. Could you explain those columns starting from
21 the left?

22 A. The first column is the date, the second
23 column is the name of the pilot, the third column is the
24 time of arrival of the pilot. On the other page is the
25 date, and after that the name of the ship of the next
26 trip, with the time of departure of that ship. So if
27 we take an example of the 26th of October, 1961, Cote
28 reported at 3.00 a.m. The following trip was ordered.
29 It was ordered on the 26th, to leave with the "Ophelia",
30



French 1 destination high seas, at 2030 p.m.

2 Q. So that means that there has been a
3 lapse of time of 17 hours between his last trip and his
4 trip of the 26th?

5 A. He must have been ordered at 7.00 p.m.,
6 so it would be 16 hours.

7 Q. Now, do you keep a record of complaints
8 which have been made and which are dealing with the
9 assignment of pilots?

10 A. Well, as far as complaints are concerned,
11 this goes directly to the Regional Supervisor.

12 Q. Don't you have a book indicating com-
13 plaints which are made by the St. Lawrence Seaway on
14 the delays of pilots?

15 A. We have no records of this, but as we
16 receive several notices indicating that we might have
17 been at fault, we have recently started to keep on
18 record different instances which were taking place.

19

20 -

21

22

23 -

24

25

26

27 -

28

29

30



French 1 Q. Since when did you take these incidents
2 into account and register them?

3 A. Well, I have one here, the first one,
4 dated June 9th.

5 Q. Who looks after this book?

6 A. I have asked my clerks to write at the
7 bottom of this book if there was anything which was not
8 going on properly with the Seaway.

9 Q. So this is an agenda and each page
10 refers to a given date?

11 A. Yes. That one deals especially with the
12 cases when an ocean liner is coming from the Seaway. The
13 agent calls us to say such a ship is going to such a
14 section or is directly going down the river. Sometimes
15 they give us this information.

16 Q. So this is to refresh your memory as
17 far as information on ships is concerned and you have asked
18 your staff to indicate at the bottom of each page, for
19 the specific date, the complaints which you might have
20 from the Seaway and the Welland Canal?

21 A. This is quite recent because we have
22 been bothered by the remarks made by the Seaway about
23 delays, and we have started to take them down in writing,
24 some of the incidents which have taken place.

25 Q. Now, amongst these incidents which took
26 place and which you have noted, did you conduct any
27 investigations on the value of such complaints?

28 A. Well, it is not up to me to make an
29 investigation. We only report the incident to the
30 Supervisor, and it is not in my jurisdiction to conduct



French 1 such investigations.

2 Q. You were occupying your present posi-
3 tion when the special pilot system was in force?

4 A. Yes.

5 THE CHAIRMAN: By "special pilot" you
6 mean land pilot?

7 MR. JACQUES: Yes, my lord.

8 Q. Did you notice the change which took
9 place in the classification of the pilots? Did that
10 make your work more difficult or less difficult?

11 A. I couldn't say that it is more difficult.
12 As far as we are concerned, we have a ship. We order a
13 pilot for a ship. Whether it be a Class A or Class B
14 or a special pilot, it is the same thing.

15 Q. For you it is the same thing? You have
16 produced as Exhibit 553 ---

17 MR. JACQUES: I am starting with Corn-
18 wall now, my lord.

19 THE CHAIRMAN: Just a second, please.

20 Q. You have produced as Exhibit 553 an
21 extract of your teleprinter dealing with Three Rivers
22 and Montreal.

23 A. This is east of Montreal.

24 Q. Would you have with you any extracts
25 of teleprinters dealing with Cornwall?

26 A. No, I do not have any.

27 Q. Is it the same system?

28 A. Yes, it is the same system.

29 Q. I think there is a difference in the
30 colour of the paper which is used on the teleprinter?



French 1 A. Yes. This is for the Montreal to
2 Les Escoumains, the teleprinter going from Montreal to
3 Les Escoumains.

4 Q. This is a white paper, then?

5 A. This one, Montreal to the lakes, a
6 yellow paper.

7 THE CHAIRMAN: Which means that you have
8 two teleprinters?

9 THE WITNESS: Yes, my lord.

10 Q. Now, the explanation which you have
11 given on the preparation of assignment lists, do the same
12 explanations apply also to Cornwall?

13 A. Yes. But in each district there
14 are some variations.

15 Q. But you have only compared the assign-
16 ment lists for Montreal and Cornwall. So can you ex-
17 plain to us the mechanics of the exchange of pilots and
18 exchange of lists between Montreal and Cornwall?

19 A. Well, this is being done based on the
20 reports made every morning like we do for Quebec and
21 Montreal.

22 Q. So at what time in the morning does
23 Cornwall send you this report?

24 A. About ten-thirty in the morning we re-
25 ceive an assignment list from Cornwall and we send them our
26 list with the Going Up ships which we have since the last
27 report.

28 Q. And does Cornwall also send you the list
29 of Going Down ships since the last report?

30 A. Since the last report, yes.



French 1 Q. Now, I refer you to Exhibit 552, "List
2 of Going Ups and Going Downs". Do you have the same
3 thing for Cornwall?
4 A. It is exactly the same thing.
5 Q. So for Cornwall you receive from Corn-
6 wall the assignment list as well as the list of Going
7 Down ships, with the name of the pilot?
8 A. Yes.
9 Q. And the name of the ship?
10 A. Yes.
11 Q. The number of turns of the pilot?
12 A. Yes.
13 Q. And do you keep a book which is similar
14 to the one which is Exhibit 552 for Going Up ships; that
15 is, the time of departure, destination, the name of the
16 pilot and name of the ship?
17 A. Well, we keep the same three registers
18 that we keep for the river.
19 Q. And you exchange every morning your
20 assignment lists between Montreal and Cornwall?
21 A. Yes.
22 Q. And on those lists do you also mention
23 the pilots who are absent?
24 A. I couldn't tell you, but if some pilots
25 are absent in Cornwall, their absence is recorded because
26 the master record is kept in Montreal and a copy of this
27 list is given to their secretary.
28 Q. But is it also the Association which
29 represents the Cornwall pilots which informs you of the
30 number of turns which have been granted to someone for



French 1 working on committees?

2 A. There are certain changes as far as this
3 is concerned in that district.

4 MR. JACQUES: These can be found in the
5 Regulations of that district which will be filed, my
6 lord, by Mr. Melanson who will be in a position to give
7 more explanations on the other aspects of these Regula-
8 tions.

9 THE CHAIRMAN: As far as the equivalent
10 in Cornwall of Exhibit 552, in the middle column, the
11 pilots who are in Cornwall will be reporting about it?

12 THE WITNESS: Yes, quite right.

13 THE CHAIRMAN: Instead of having the
14 Three Rivers, we will have the mention of Cornwall?

15 THE WITNESS: That is correct.

16 Q. In the sector from Montreal to Cornwall,
17 there is only one class of pilots?

18 A. Yes, all from the same class.

19 Q. Therefore, the mentions concerning Class
20 A pilots will not appear?

21 A. No.

22 Q. Can you explain to us how you obtain
23 the various absences of Cornwall pilots?

24 A. Well, it is the same way of proceeding
25 as for the River pilots. We call them. We advise them
26 that they are first on the list, and if they are not
27 available because they are sick or any other absence,
28 they ask us to take them off the list.

29 Q. For Cornwall, do you have a list which
30 is the same as the one which has been filed from Montreal



French 1 as Exhibit 554?

2 A. Yes. Now we do it.

3 Q. Now you do it? This means you didn't
4 do it before?

5 A. Before, only at the bottom of the list
6 we indicated the names of those who were sick. Now,
7 this concerns those who are sick but for those who are
8 absent for committee work we do the same thing.

9 Q. And the Association which represents
10 the Cornwall pilots advises you of the name of the pilots
11 who are allowed the same number of turns for committee
12 work?

13 A. Well, they advise us on the phone while
14 the River Pilots Association advise us by letter.

15 Q. Now, with this advice by phone has
16 there already been any misunderstandings on the number
17 of turns that a pilot should be allowed?

18 A. Not in my opinion.

19 Q. Not in your opinion? Always referring
20 to the Cornwall pilots, do you keep a register similar
21 to your book of assignments of pilots?

22 A. Yes.

23 Q. And the information which is contained
24 in the assignment of pilots book for montreal, is it
25 exactly the same information in the Cornwall book?

26 A. Exactly the same.

27 Q. With the name of the ship, its destina-
28 tion, the number of turns and the date?

29 A. Yes, that is right.

30 Q. Now, your book of orders, of requests



French 1 for pilots, does this also cover the Cornwall District?

2 A. For each district we have a separate
3 book. For Cornwall, the only difference is that this
4 column "Lake Pilots Required" is used.

5 Q. But you have a separate book for each
6 district?

7 A. For the harbour, for Cornwall, and for
8 Three Rivers.

9 MR. JACQUES: Would the Commission
10 think it useful to have photostats of examples of those
11 registers concerning the harbour of Montreal and con-
12 cerning Cornwall?

13 THE CHAIRMAN: I think that this
14 could be useful because we could have the same questions
15 in the sector of Cornwall as we find in the sector of
16 Quebec and Montreal, and, consequently, in order for us
17 to be able to have something on which we can base our-
18 selves, we could have copies, let us say, for one given
19 time and exactly the same thing as you have produced
20 for the pilots.

21 MR. JACQUES: So the same thing as the
22 example which you have chosen ---

23 THE CHAIRMAN: It will be the same
24 thing for a pilot from Montreal Harbour and for Corn-
25 wall, with the entire history as far as the requests are
26 concerned, with an extract of all the registers exactly
27 the same for the others.

28 MR. JACQUES: Right, my lord. So it
29 might be good to produce also photostats of the book for
30 the Harbour of Montreal as Exhibit No. 559. That will



French 1 be photostat as an example of the following register
2 for the Harbour of Montreal: Book of orders of requests
3 of pilots, book of assignment of pilots, book of
4 departures and arrivals, as an example for the Harbour
5 of Montreal.

6 THE CHAIRMAN: Those extracts will be
7 the same pilot and the same month?

8 MR. JACQUES: Yes, it will be the same
9 pilot and the same month.

10 ---EXHIBIT NO. 559: Photostat Example of Register
11 for the Harbour of Montreal,
12 Book of Orders of Requests of
13 Pilots; Book of assignment of
pilots, and Book of departures
and arrivals.

14 MR. JACQUES: Now, for the District of Corn-
15 wall, a photostat as an example of the same register as
16 Exhibit No. 560.

17
18 ---EXHIBIT NO. 560: Photostat of Register re
19 Orders of requests of Pilots,
20 Book of assignment of Pilots,
Book of departures and arrivals.

21 MR. JACQUES: Now, my lord, we have an
22 exhibit number for the documents for the pilot and I
23 would like to reserve two exhibits.

24 THE CHAIRMAN: Exhibit 561 will be
25 for the example of the documents for pilots from the
26 Harbour of Montreal, and No. 562 for the same documents
27 for the pilots of Montreal to Cornwall.

28 MR. JACQUES: Very well, my lord.
29 Your witness.

30 THE CHAIRMAN: We will adjourn until 2.30.
---Luncheon adjournment.



French 1

Montreal Quebec,
July 11, 1963

2

---On resuming at 2.30 p.m.

3

-4 DIRECT EXAMINATION BY MR. JACQUES (Cont'd)

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Q. Mr. Viau, in your long experience have you been able to establish patterns in the movement of ships leaving Montreal to go to the lower part of the river?

10

11

A. To my experience traffic is heavier during the weekends. That is to say, Thursday, Friday, up to Saturday.

12

13

Q. This is when the traffic is heaviest?

14

A. Yes, certainly.

15

16

Q. Have you also been able to establish a pattern in the hours of departure from Montreal going down the river?

17

18

A. Well, the situation has changed. Before boats would leave in the morning, but now they rather leave around four or five o'clock in the afternoon, after a day's work.

19

20

21

Q. Have you been able to notice something similar concerning ships going towards Montreal, coming from downstream?

24

25

A. Well, no. The traffic is normal in that direction. There is no delay caused.

26

27

Q. Does traffic reach Montreal on a given day during the week, or more on some days?

28

29

A. No, there is nothing special.

30

Q. When you are going upstream?



French 1 A. Well, you can get as many in the weekend
2 as on an ordinary week day.

3 Q. Concerning the Seaway, is there a
4 pattern established, either for going in or going out?

5 A. According to what I understand, a ship
6 which has to do something in the harbour of Montreal if
7 it arrives during the weekend, from what I gather, if the
8 stevedores have to work on it there will be heavier fees
9 charged, so there is a tendency towards having heavier
10 traffic during the weekdays than in the weekends.

11 Q. Can you relate to the Commission the
12 negotiations which took place on both sides concerning
13 the arrival and departure forecasts for ships in Montreal?

14 A. Well, the negotiations done in this
15 matter have been done by the authorities. I only par-
16 ticipated in one of the meetings.

17 Q. So will you please tell us about this
18 meeting, and tell us the result of it?

19 A. I met Captain Gatinus and the Chairman
20 of the Pilots and the Secretary of the Shipping Federa-
21 tion to ask them for all possible cooperation on behalf
22 of shipping companies so that we might have the longest
23 possible notice concerning departure of ships. They
24 thought that our request was very reasonable, and they
25 would try to improve the system.

26 Q. And have you succeeded today in obtain-
27 ing the departure and arrival forecasts?

28 A. Some companies call us in the morning,
29 one or two, giving departure forecasts. I think they
30 are doing all they can. They can't do any more.



French 1 Q. Can you obtain, according to the fore-
2 casts, can you obtain these forecasts from the National
3 Harbours Board?

4 A. With all the information they obtain,
5 they make a list of departure forecasts, or movages
6 in the harbour, and this is completed about four o'clock
7 in the afternoon. Now, there is an officer from the
8 Agricultural Department who goes to the Harbours Board
9 and brings one to our office.

10 Q. Do you know why this official from the
11 Department of Agriculture gets this?

12 A. Well, he needs one for himself, and he
13 brings it to us just to help us. He doesn't have to do
14 that.

15 Q. What does the Department of Agriculture
16 have to do with the ships?

17 A. Well, I don't know exactly, but they
18 have something to do with it.

19 THE CHAIRMAN: Does he mean provincial
20 or federal?

21 THE WITNESS: Federal.

22 MR. JACQUES: I should like to file as
23 an exhibit a copy of the forecast.

24
25 ---EXHIBIT NO. 563: A copy of the Departure and
26 Arrival Forecast obtained from
the Harbour Master of Montreal.

27 Q. Mr. Viau, I am exhibiting three docu-
28 ments, which will be filed as Exhibit 528, and these
29 documents give the name of each pilot, the number of days
30 absent for sickness or work on committees, or days



French 1 suspended, and the number of trips.

2 Will you tell me if you are the person
3 who prepared these documents concerning the section
4 Montreal-Three Rivers?

5 A. I have collaborated in preparing this
6 document. It is the District Regional Superintendents
7 and myself who have prepared it.

8 Q. From where has the information in this
9 document been obtained?

10 A. From the number of trips in the pilot
11 turn book. The number of days sickness according to the
12 absentee sheets of the pilots. Suspensions, well, the
13 Superintendent has the details concerning suspensions
14 of a given pilot.

15 Q. Now, is it the same thing concerning
16 Exhibit No. 529 and Exhibit 530, relating to from
17 Three Rivers to Quebec and Montreal Harbour?

18 A. Well, the Three Rivers-Quebec has been
19 prepared by the Quebec Office.

20 Q. So you are not aware of the facts in
21 that?

22 A. No.

23 Q. Concerning the Harbour of Montreal
24 and the Montreal-Cornwall district?

25 A. Well, we have collaborated in establish-
26 ing these documents.

27 MR. JACQUES: Thank you, Your witness.
28
29
30



French 1 CROSS-EXAMINATION BY MR. LALONDE:

2 Q. Mr. Viau, you have given information
3 concerning a tendency of ships to circulate more in
4 certain periods of the week or of the day. Could you
5 tell us if there are certain periods of the year, or
6 certain months, during which navigation is heavier than
7 others in each of the Districts of Cornwall and Montreal?

8 A. During the first months of navigation
9 I would say, April, May, October and November traffic
10 is heavier. During the middle of the summer there is
11 a tendency to decrease. There is a decrease in July and
12 August.

13 Q. Is there any special reason for which
14 you have chosen the month of August as an example
15 concerning the case of the pilot Omer Arcand?

16 A. No, I chose according to the Pilot
17 Turn Book the pilot who had done most trips during one
18 month.

19 Q. During the month of August or during
20 all the months of the year, so it was in that month of
21 August that the pilot did more trips for a month. Is it
22 the number of turns, or the number of trips?

23 A. No, these were trips.

24 Q. Pilotage trips, but you are counting
25 that on the basis of turns and half turns?

26 A. There are no half trips. It is 24
27 trips, and it is the one-half turn.

28 Q. Concerning this question of half turns,
29 you have this arrangement for turn and half turn by
30



French 1 consultation with pilots to make the work evenly dis-
2 tributed?

3 A. Yes.

4 Q. Now, concerning absences for causes
5 of committee or sickness. You assign to the person,
6 upon his return to work you give the same number of turns
7 that have been carried out during his absence?

8 A. Yes, but the number of turns as given
9 to us by the Corporation Office, on the basis of the
10 average for the year.

11 Q. These assignments are made in order to
12 balance the workload amongst the pilots?

13 A. Yes.

14 Q. Now, when you calculate the number of
15 turns, or trips, or pilotages, accomplished throughout
16 the year in one given district, you only count the
17 trips which were really made. For instance, I see
18 Exhibit 526 concerning the Montreal District. There is
19 an entry there, 1962, number of trips per effective
20 pilot, 155. These were cases of trips which have been
21 indeed made?

22 A. Yes.

23 Q. Another question was asked you concern-
24 ing an old practice of special pilots. Do you think
25 that with the considerable increase of traffic at the
26 opening of the Seaway you would have been able to give
27 the same service if you had that system of special
28 pilots still in force?

29 A. I can only give a personal opinion.
30 I think the service could have been carried out. The



French 1 number of special pilots for each line could have been
2 increased. I think this could have been done.

3 Q. I think you ask two hours' notice for
4 assignment of a pilot to a ship?

5 A. An hour and a half from Longue Pointe
6 and the lock in East Montreal.

7 Q. Two hours for from St. Lambert?

8 A. No. From St. Lambert the time is
9 determined by the passage of the ship from Cote Ste.
10 Catherines.

11 Q. And from Cornwall?

12 A. We give two hours' notice, but they must
13 call for a harbour pilot before, and the harbour pilot
14 is normally one-half hour notice. The same thing for
15 Longue Pointe and East Montreal.

16 Q. Now, if it is a river pilot and the
17 ship wants to leave Montreal to go to Three Rivers, what
18 is the notice to be given?

19 A. One and a half hours, and two hours
20 from Three Rivers to Montreal.

21 Q. Have you cases when you have difficulty
22 in obtaining this notice?

23 A. Well, some times we don't have this
24 notice mentioned.

25 Q. Now, if you need a pilot at Lanoraie,
26 Contrecoeur or Sorel, and the pilots are sent from
27 Montreal to Three Rivers because of the considerable
28 number of ships wanting to go up river, who pays the
29 transportation costs of the pilots?

30 A. It is the pilots themselves who pay.



French

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Q. Is it not charged to the ship?

A. No, it is the pilot who pays.

MR. LALONDE: Thank you, Mr. Viau.

CROSS-EXAMINATION BY MR. LANGLOIS:

Q. Mr. Viau, you talked this morning about the rest, the number of hours' rest which are usually given between each pilot's calls. You said for the District of Montreal these hours of rest were a minimum of ten hours?

A. Yes, ten hours.

Q. Does it happen that you don't get ten hours' rest between calls for pilots?

A. When there is an emergency, yes, but in that case we call the pilot and we tell him that there is an order and if he wanted to refuse, well, we couldn't do anything about it, or hold it against him.

Q. Now, is it the same time of rest for a half turn?

A. Yes.

Q. I think that this mostly applies to Class A pilots, because they are requested more often?

A. No, this applies also to Class B.

Q. Now, in calculating these ten hours do you compute the time spent by the pilot in travelling when he has travelled by train to go back to Montreal?

A. The period is figured from the time the pilot reports his time of arrival in Montreal, either by disembarking from the ship, or if it is a pilot ordered



French

1 by train, well, he has had his rest period at the other
2 station, and he doesn't have to have a rest here.

3 Q. Well, if he gets off at Contrecoeur
4 or Lanoraie?

5 A. His rest period starts when he reports
6 in Montreal.

7 Q. If he gets off at Three Rivers and
8 returns by train to Montreal is the rest period going to
9 start when he got off the ship in Three Rivers or when
10 he arrives in Montreal?

11 A. When he is in Three Rivers he is on the
12 turn list in Three Rivers, and if he is ordered by train
13 he will go only when he has had his ten hours rest.

14 THE CHAIRMAN: In other words, the
15 rest period of ten hours doesn't include the time used
16 for travelling?

17 THE WITNESS: Yes, my lord.

18 Q. But it happens that a pilot can be
19 recalled before his rest period is over?

20 A. It happens.

21 Q. Now, concerning detention, if a pilot
22 is called for a given time and for one reason or another
23 the ship is delayed, is there mention of that in your
24 records?

25 A. The detentions are always contained in
26 the pilot's source form, whether it is a few minutes.
27 The reported time is when the pilot is ordered.

28 Q. Well, I understand in the pilot's
29 source form it appears, but in the workload do you take
30 into account these detentions which are not long enough



French 1 to be taken into account as a reimbursable detention?
2 A. It doesn't appear.
3 Q. Now, to get back to the question that
4 has been asked by his lordship, the period that the pilot
5 takes to travel from the station to his own home, is it
6 included in his rest period, or from the ship to his
7 home, or vice versa?
8 A. Well, starting from the ship going to
9 his home, this is included in his rest period. The
10 hour that counts as a matter of fact is the hour at the
11 end of his work.
12 Q. The end of his work on board the ship?
13 A. Yes, the end of his work on the ship in
14 Montreal. If it has to do with a vessel arriving at
15 Sorel, the arrival of the train or the bus in Montreal.
16 Q. Let us say, for example, that the pilot
17 gets off a ship with the help of another small boat,
18 as it happens at des Ormes. Do you take the time of
19 the disembarkment or the time at the station? So the
20 time taken to reach his home from the vessel is not
21 included?
22 A. This is not included, no.
23 Q. Now, this morning you filed Exhibit No.
24 557, and this exhibit was an example of the orders for
25 pilots, which was called also the notice. If I under-
26 stand properly, when a pilot is ordered in advance you
27 prepare this notice or this form, but you do not write
28 it down in the register for that particular day, but
29 you enter it for the day for which the pilot has been
30 ordered. Is that true?
A. Well, I wouldn't consider that as a



French 1 notice. I would consider that as an order, but I don't
2 enter it into my book immediately, for fear it would be
3 snowed under the other orders that might come later on,
4 so I attach it to the book, and I do a follow-up until
5 the time has arrived and I have it on my desk, and I
6 don't forget it.

7 THE CHAIRMAN: We could call that an
8 anticipated order, because there is no further notice.

9 THE WITNESS: Well, it happens espe-
10 cially for ships leaving on the Sunday or early Saturday
11 morning, and the agents call us and give us an order on
12 the Saturday, or on the Friday evening.

13 Q. And this notice is definite, unless
14 there is a subsequent cancellation?

15 A. Yes.

16 Q. Now, you were questioned concerning
17 patterns of traffic, and I did not understand too well
18 when you said that during the weekends starting on
19 Thursday until Saturday you had a traffic volume that
20 was greater going down stream. Is this true?

21 A. Yes, this is true.

22 Q. This includes the Thursday, Friday and
23 Saturday?

24 A. Yes, and during the weekend, especially
25 during the last days of the week.

26 Q. This was for downstream on the river.
27 Later on another question was asked concerning the traffic
28 volume in the American waters, and if I understood pro-
29 perly your answer was completely the opposite. For
30 example, the most busy time was not during the weekend



French 1 in that case?

2 A. Well, it is not exactly the same pattern,
3 I would say, because in my own mind ships going upstream
4 are going to load on the lakes, whilst when they go down-
5 stream, if they load at Montreal they leave once the ship
6 is loaded.

7 Q. Well, I understand, Mr. Viau, we are
8 always talking about downstream traffic. Is it not
9 true to say that you have exactly the same theory during
10 the week for the downstream traffic?

11 A. Well, I would say that the traffic
12 leaving Montreal is heavier during the weekend than
13 anywhere else.

14 Q. That is all very nice, but let us forget
15 about the Montreal traffic. Let's think only about the
16 Seaway traffic.

17 Do you think that the downbound traffic
18 on the Seaway is not heavier during the weekend than it
19 is during the other days of the week?

20 A. Well, I didn't notice anything about
21 that, frankly.

22 Q. Now, let's take the upstream traffic,
23 or the case of ocean-going ships or cargo ships for ore,
24 but is it not true that ships going eastward from
25 Montreal are going to leave if they load in Montreal
26 during the weekend for the Seaway?

27 A. Leaving Montreal towards the west.
28 Well, there is a certain pattern for these boats to leave
29 the harbour earlier during the weekend.

30 Q. Is it not true to say that the shipowners



ANGUS, STONEHOUSE & CO. LTD.
TORONTO, ONTARIO

Viau, creex
(Langlois)

5551

French1 want to avoid the slack period of the weekend?

2 A. Well, it could be explained that way,
3 but ---

4 MR. LANGLOIS: Thank you.

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French 1 CROSS-EXAMINATION BY MR. BRISSET:

2
3 Q. Mr. Viau, when you gave your evidence,
4 talking about regulations, you were talking about special
5 regulations governing the administration of your service
6 and not regulations concerning the Pilotage of the
7 District that interests us?

8 A. Well, we have pilotage regulations and
9 we also have regulations for the administration of the
10 office.

11 Q. Well, the regulations you were referring
12 to during your testimony had to do with the regulations
13 governing your office?

14 A. Yes.

15 Q. I understand that they are going to be
16 filed by Mr. Melanson?

17 MR. JACQUES: Yes. Mr. Melanson is
18 going to testify about those regulations.

19 Q. You talked to us about this rest period
20 going to the pilot, the ten hours, which is a minimum
21 of rest?

22 A. Yes.

23 Q. And in practice the rest period in most
24 cases is much greater than ten hours; is that true?

25 A. Sometimes, yes; sometimes, no.

26 Q. I would like to refer you to Exhibit
27 No. 555, which you have filed, which covers the work
28 accomplished by the Pilot Omer Arcand during the month
29 of August while he was the busiest pilot during this year,
30 and I notice that despite the number of his trips his



French 1 rest periods varied between a minimum of twelve hours
2 and forty-eight hours maximum. Can you verify or check
3 if my calculation is accurate? I would like to see re-
4 garding the case which I am going to underline immediate-
5 ly: Trip No. 21, the "Shiercliffe / Hall" which left Three
6 Rivers on the 21st at 22 hours and reached Contrecoeur
7 at five-thirty, I suppose, the next morning, and the
8 pilot left once more on board the same ship at twelve
9 o'clock in order to reach Montreal at 18 hours?

10 A. I surmise that your period of forty-
11 eight hours is between the dates of the 17th and 19th,
12 but you see it is indicating a trip Montreal to Three
13 Rivers and the next one Montreal to Three Rivers.
14 So in that case the pilot took the train in order to
15 get back to Montreal in order to start his turn again.

16 Q. So you have one trip and I see that is
17 the only one during that month where the pilot left
18 Montreal on the 17th of August at 2130 and reached
19 Three Rivers in 0240 -- that is at twenty-four in the
20 morning on the 18th and left Montreal again on the 19th
21 at 1945?

22 A. Yes.

23 Q. So naturally this is a case where he
24 was called back from Three Rivers to Montreal?

25 A. Yes.

26 Q. And during the whole month I notice that
27 in each of these trips this pilot left the place where
28 he had been left by the last ship?

29 A. Yes.

30 Q. In other words, he left Montreal on the



French 1 1st of August in order to go to Three Rivers, and on the
2 2nd he left Three Rivers in order to get back to Montreal,
3 and so forth?

4 A. Yes.

5 Q. Now, Mr. Viau, in order to calculate
6 the detention, I think that you have, as a basis, the
7 hour which was given to you as being the departure hour
8 of the vessel and the real departure hour?

9 A. Yes.

10 Q. And not the hour at which the pilot
11 could have reported for duty?

12 A. Well, the real hour of the departure.

13 Q. In other words, if a pilot is ordered
14 for three o'clock and if the vessel leaves at four
15 o'clock, there will be detention there?

16 A. Yes.

17 Q. If the pilot reaches his destination
18 at a quarter to three and the vessel leaves at three-
19 thirty there won't be any detention?

20 A. No.

21 Q. Even if the ship leaves at a quarter to
22 four, there wouldn't be any detention, because it would
23 have only been three-quarters of an hour waiting?

24 A. In order that there be a detention
25 charge, the vessel must leave at least an hour after the
26 given hour of departure.

27 Q. Mr. Viau, you have talked about trips
28 between Montreal and Contrecoeur, Contrecoeur and Montreal,
29 Montreal and Lanoraie, Lanoraie and Montreal, Montreal
30 and Varennes, and vice versa. Are those trips frequent



French 1 in that district?

2 A. Well, for Varennes the case happened
3 several times during the fall for a certain period of
4 time, and for only one vessel. I do not know if there
5 will be a change this year about that.

6 Q. Concerning the trip from Contrecoeur
7 to Montreal and Montreal to Lanoraie?

8 A. So far as Contrecoeur is concerned, the
9 traffic was much heavier a few years ago, but this year
10 the traffic is less. In so far as Lanoraie is con-
11 cerned, everything depends on the traffic in the Montreal
12 harbour. When the piers are filled and the elevators
13 are filled Montreal harbour sends the boats to Lanoraie
14 for a vacancy in the Montreal harbour for the unloading
15 of grain ships. Last year we had a great deal of
16 traffic at Lanoraie, and during the preceding years,
17 before the opening of the Seaway, there was a great deal
18 of traffic also at Lanoraie.

19 Q. In other words, during the active
20 periods, the navigation season, the trips to Lanoraie
21 are frequent enough?

22 A. Well, this year they are less frequent
23 because we have a new elevator and the traffic conse-
24 quently, seems to be lessened as compared with preceding
25 years.

26 Q. Concerning passenger ships, is it
27 frequent for them to anchor in Lanoraie while waiting
28 for an opportunity to unload the passengers?

29 A. Normally, all these boats have a
30 specific hour to come to Montreal. If they come long



French 1 before the expected hour of their arrival, in that case
2 the passenger ships anchor at Lanoraie.

3 Q. And this is quite frequent, if I under-
4 stand properly?

5 A. Well, not in all cases.

6 Q. Yes, but frequently enough?

7 A. I wouldn't say that it is a very
8 frequent occurrence, but frequent enough.

9 Q. Now, Mr. Viau, can you please refer to
10 Exhibit 529, which gives the list of pilots as well as
11 their days of absence.

12 MR. JACQUES: For what year?

13 MR. BRISSET: 1962.

14 Q. You will see in the last column to the
15 right the total of the number of trips?

16 A. Yes.

17 Q. Does that figure include only the real
18 trips or does this figure take into account all the turns
19 that are allocated to the pilots who are absent?

20 A. No, only the turns done by each pilot.

21 Q. In other words, you do not take into
22 account all the turns allocated in your books, in a
23 case of an absence, in order to arrive at that figure?

24 A. If such were the case, all the pilots
25 would have practically all the same number of trips,
26 because we sort of equalize the number of turns.

27 Q. So in all cases of sickness or absence
28 for sickness or other types of absence, you allow a
29 number of turns in the book which is going to equalize
30 the number of trips for the absent pilot?



French 1 A. Well, to illustrate that, let us take,
2 for example, a pilot who would be sick half of this navi-
3 gation season. When he will report for duty, we are
4 not going to make him start at "1"; otherwise, he
5 would work day and night. We give him an average of
6 turns so that later on he will be able to finish the
7 season. But when we compile his report, you can see
8 that somebody has been absent for a certain period of
9 time, his total number of trips is less than that of the
10 others. So the last column indicates the number of
11 trips made by the pilot.

12 Q. In other words, you allow the absent
13 pilot a certain number of turns so as to equalize his
14 charge of work to that of the others when he gets back
15 to duty?

16 A. Yes.

17 Q. Mr. Viau, you told us about a meeting
18 which you had with the Shipping Federation to ask that
19 the necessary steps be taken so as to give you better
20 information concerning the departure forecasts of ships.
21 Are you aware that a circular letter has been distributed
22 by the Shipping Federation to all agents in Montreal
23 about that?

24 A. My superiors must certainly have re-
25 ceived that circular letter.

26 Q. But you did not see it yourself?

27 A. No.

28 MR. BRISSET: Thank you.

29

30



French

1 CROSS-EXAMINATION BY MR. LALONDE:

2
3 Q. In the case that you have quoted con-
4 cerning Mr. Omer Arcand, if I understand correctly, it
5 is the pilot who has accomplished the greatest number
6 of trips and not necessarily the one who worked for the
7 longest hours?

8 A. In order to establish the one who has
9 the longest hours of work, it could not be established
10 just like that because, let us say the fall rate, for
11 example, well, the trips are longer because there is fog
12 or navigational difficulties, and so forth, which do not
13 occur in the month of August.

14 Q. Moreover, if I understand correctly,
15 they would not include the absent pilot for different
16 reasons. Let us take the case of pilots who are absent.
17 A pilot who would have been on duty in the course of the
18 year would have substantially the same number of trips
19 as Mr. Arcand because, according to your system, you
20 sort of adjust the number of trips?

21 A. Yes. In that case, though, Mr. Arcand
22 did twenty-four trips, which means that probably at the
23 beginning of August, perhaps, he was one or two turns
24 below average and with the number of trips that he made
25 at the end of the month, perhaps he was slightly higher
26 than the average. I would like to say that the number
27 of trips does not establish the number of hours worked.

28 Q. Now, in so far as the travelling of
29 pilots is concerned, from one end of the district to the
30 other, because of the sudden increase of traffic one



French 1 way, I understand that this happens regularly?

2 A. Yes.

3 Q. Is it not true that that is particularly
4 true for the beginning and the end of this season?

5 A. Yes. The traffic is only one way in
6 those cases at the beginning and the end of the naviga-
7 tion season.

8 MR. LALONDE: Thank you.

9
10 BY MR. JACQUES:

11 Q. I am sorry if I get back to what was
12 said before once more, but I guess that we are not very
13 clear on the way in which you calculate the number of
14 turns you allow for sickness or holidays. Now, so
15 far as the number of turns allowed for absence, the
16 Corporation gives you the number of turns, is that not
17 true? For example, Mr. So-and-So has a right to a
18 certain number of turns for absence, but in the case of
19 sickness or leave, how do you establish the number of
20 turns to which a pilot is entitled?

21 A. In the case of sickness, the beginning
22 of the work stoppage is reported to the office and the
23 date of the return to duty is reported to the office
24 as well, and after a couple of days they send us a letter
25 requesting us to give Mr. So-and-So a given number of
26 turns for his absence.

27 Q. Absence for sickness?

28 A. Yes. And when he is on leave, this
29 is established in advance -- short periods at the begin-
30 ning of the summer, and at the end of the summer, periods



French 1 of three days. They have two turns allotted for those
2 three days and the periods for the missle of the summer
3 they also have three turns allotted to them.

4 Q. Who has established that system?

5 A. This has been established by the Pilots
6 Committee, who, in turn, pass the information about that.

7 THE CHAIRMAN: Are you talking about
8 the three groups of pilots; the same regulation applies
9 here for the Seaway pilots and the Montreal and Three
10 Rivers?

11 THE WITNESS: Those of Montreal and
12 Three Rivers, and Montreal-Cornwall. The harbour pilots
13 do not have the same system.

14 THE CHAIRMAN: But the same system
15 applies to the other two groups?

16 THE WITNESS: They do not have the same
17 holiday periods. Montreal-Cornwall has only one week
18 for holidays or leaves.

19 Q. But it is the Corporation which deter-
20 mines that there will be a certain number of days of
21 leave and number of turns? You do not do the cal-
22 culation yourself; it is done by the Corporation?

23 A. Number of days is always the same --
24 two days, or, rather, two turns for a short period and
25 three turns for longer periods.

26 Q. And the absence for sickness, do you
27 do the calculation yourself?

28 A. No, I just report the duration of the
29 absence to their office and their office, in turn, by
30 letter, advise me to allot a certain number of turns.



French 1 THE CHAIRMAN: In other words, the
2 credits given for absence are calculated by the Corpora-
3 tion and in the case of days of leave it is provided for
4 by regulation of the Corporation, and in the case of
5 absences which are not determined, this is also estab-
6 lished by the Corporation.

7 Q. Now, the pilots of the Montreal Harbour,
8 when they are absent for work on the Committee, does
9 the Corporation give you the number of turns that should
10 be allotted to the pilots?

11 A. Yes, or the President himself or the
12 Chairman himself.

13 Q. Now, for absence for reason of sickness?

14 A. I must say that they are more numerous.
15 There are only sixteen there. But absence by cause of
16 sickness is quite rare. Unless there is a long period
17 of absence, the pilot has a right to take back his turns.

18 Q. So he takes back his turn? Now, this
19 is new for the Commission. What does that mean, to take
20 back one's turns?

21 A. Let us say, for example, that the average
22 number of pilots have reached sixty turns and the one who
23 reports for duty has reached only forty-five. This means
24 that he will have to do more trips in order to get to an
25 equal footing with the other pilots.

26 Q. So he has always more chance to become
27 the first or the second on the assignment list?

28 A. This is it. If he has not had the turn
29 at noon, normally he would be the first one after. If
30 he is three turns below average, every time there is a



French 1 movage normally he is put second on the list, so he will
2 accumulate a greater number of trips than the other
3 pilots.

4 Q. Now, we talk about absences because of
5 work on the Committee and holidays or sickness. Can
6 you please explain what happens, for example, for holi-
7 days in Montreal?

8 A. There are no turns allotted. As they
9 have a margin of three turns, it is easy enough to take
10 those turns.

11 Q. What is this margin of three turns all
12 about?

13 A. When we equalize, you see, if
14 one pilot has more than three turns backwards, there is
15 a margin of three turns. He has three turns below the
16 average, automatically when he reports for duty he is
17 the second on the list. For example, he would do a
18 trip sooner than another pilot, and, consequently, he
19 will then be equalized with the others.

20 Q. So the average of turns is established
21 how?

22 A. With sixteen pilots it is easy to do
23 that.

24 Q. How do you proceed?

25 A. Well, we add the number of turns of each
26 pilot and divide it by sixteen and get the average. If
27 he has more than three turns below the average, when he
28 reports back for duty he automatically becomes second on
29 the list, and if he has less than three turns below
30 average he is equalized then only at noon. When we



French 1 compile the list at noon, there is a complete equali-
2 zation.

3 Q. So I understand now. During the time
4 if the list is finished during the day, then he auto-
5 matically is second on the list?

6 A. Well, if he is more than three turns be-
7 low the average after the list has been compiled, he is
8 second on the list.

9 Q. Mr. Viau, I would like to show you
10 Exhibit 528 for the year 1962. This is the exhibit
11 which gives the number of pilots and the number of days
12 of absence for sickness and the number of trips. We
13 see the Pilot Arcand had one day off for sick leave, no
14 day for committee work, no suspension days, and he did
15 seventy-seven trips in Montreal upstream and seventy-
16 five trips downstream, which gives a total of 152 trips.
17 So if we look at the totals of trips for each pilot,
18 can you tell the Commission how this total is reached?

19 A. I see that a distinction should be
20 established between trips and turns.

21 Q. Number of trips. This is the number
22 of trips?

23 A. Half a turn will count as one trip.
24 If a certain pilot does many half turns, at the end when
25 we calculate the number of trips, he has more trips than
26 the others; but in so far as turns are concerned, he
27 would be equal to the others.

28 Q. I see that Mr. Arcand, according to that
29 exhibit, did 152 trips. If we look at this column, the
30 last column, we see that the pilots have done between



French 1 150 and 159 trips. This is about the average?

2 A. Well, if I base myself upon the fact
3 that there is one day of absence, there was no turn
4 allotted.

5 Q. So for the total of his work in the
6 course of the year, how can this be compared with the
7 work done by the others?

8 THE CHAIRMAN: You said there are
9 152 trips. I see 154 on that list.

10 MR. JACQUES: One hundred and fifty-
11 two, my lord.

12 THE CHAIRMAN: Perhaps we are not
13 looking at the same thing. It is for the two sections
14 Montreal and Three Rivers?

15 MR. JACQUES: It is for the name "O.
16 Arcand".

17 THE CHAIRMAN: I have "E. Arcand".

18 MR. JACQUES: I am sorry, it is "E.
19 Arcand".

20 Q. With 150 days, he worked much more
21 than the others or much less than the others?

22 A. At the end of the year, in the last days,
23 the trips are supposed to come apart and when a pilot is
24 on duty, the adjusting of the turns could easily be
25 done. The average of each pilot, there is only a
26 difference of about one or two turns at the most.

27 For instance, if you get a double trip
28 at the end of the year ---

29 Q. I do not know if the Commission has
30 understood correctly, but I have not yet understood



French 1 correctly the preparing of the assignment list for the
2 Montreal Harbour. I am going to summarize what I think
3 are the facts. Every day at twelve o'clock noon you
4 get your list and you see how many turns have been done
5 to date by each pilot, and the one who is on the old
6 list, you leave it?

7 A. Not for the harbour.

8 Q. So you take the one that has less trips
9 and you put it first on that list. Then you take the
10 next small number of turns and you put it on the list,
11 and so on? If, during the day, you have been able
12 to put all these persons on your list, the one who
13 has more than three turns above the average becomes the
14 second? He changes his place?

15 A. Yes. He becomes the second.

16 Q. If he goes three times over or less,
17 then he comes back in second place three times?

18 A. He may even come more than three times.
19 Supposing he reaches three turns. I put him second
20 in turn. Then I have two movages. Then he is expected
21 for the second. Then I have a few hours without
22 work. Then he is on duty again. If he is still
23 three turns behind, he is put in second place.

24 Q. Once your list has been done at noon,
25 do you take into account the fact that he has more than
26 three turns over the average?

27 A. NO. If he has more than three turns,
28 normally he is the lowest in turns and, therefore, he
29 should be the first.

30 Q. So if during the day a pilot who has



French 1 more than three turns less than the average, the first
2 movage, the first pilot goes; the second movage comes
3 along, and the second pilot goes, so the one who was
4 the latest, when he reports for duty, you put him
5 second on the list?

6 A. Yes.

7 MR. JACQUES: Does the Commission have
8 any questions to ask?

9 THE CHAIRMAN: Not on the last point.
10 Now we are going to have a new witness so we are going
11 to adjourn for a few minutes.

12 ---Short recess.
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French 1 MR. LANGLOIS: My lord, I have made
2 arrangements with the Commission counsel. I would
3 like to call back Mr. Monarque to answer the questions
4 I asked him yesterday. He has checked his records
5 on them.

7 FERNAND MONARQUE, recalled and sworn

8
9 CROSS-EXAMINATION BY MR. LANGLOIS (Cont'd):

10 Q. Mr. Monarque, yesterday I asked if you
11 were willing to check your files in order to see whether
12 in May there had been a report concerning the displace-
13 ment of the Cap Sante buoys.

14 Have you made any research on this?

15 A. Yes, concerning the date of May 16th
16 I have myself checked the complete tape of our teletypes
17 for that particular day, and there is absolutely
18 nothing showing that this message has been transmitted
19 to our office.

20 Now, concerning the day before and the
21 day after, this was checked by our office, and nothing
22 appears concerning it from any source.

23 Q. Have you checked the Coastal Station
24 of Quebec in order to find out if they had received the
25 message?

26 A. No. I didn't expect this question to
27 be asked me, but if it so pleases the Commission, I
28 could do that checking.

29 THE CHAIRMAN: Perhaps we can do that
30 when we are in Quebec.



French 1

MR. LANGLOIS: Thank you, Mr. Monarque.

2

BY MR. JACQUES:

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Q. I think you were also asked to check if the radio installed at your office is F/M or VHF?

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A. Yes, it was VHF. I have brought here a copy of a letter from headquarters, in which it is said that it is a VHF radiotelephone, Montreal office.

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Q. Now, do you have an example of the message that you send when you hear that ships are anchored for reasons of fog?

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A. Well, yes. This is in relation to the statement I made concerning instructions which were given by the former Pilotage Superintendent to the effect that we should shorten our messages, and that when there would be more than three ships anchored at one given place, not to give the details on our broadcast. So I gave personal instructions to our staff not to go beyond this for safety reasons, and to continue to give the detailed position of the ship giving its name and place, but I stressed at that time that these messages should be shortened as much as possible.

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As a matter of fact, this morning we have had fog. We had five ships reported anchored at various places, so I brought with me a copy of the message which indicates the five ships anchored at various positions.

29

30

MR. JACQUES: I should like to file a copy of this letter as Exhibit No. 564.



French

1 ---EXHIBIT NO. 564: Copy of Message.

2 MR. JACQUES: That is all, Mr. Monarque.

3 THE WITNESS: If you will allow me, in
4 relation to a statement made by Mr. Viau concerning
5 Exhibit No. 560, list of probable departures, which
6 was supplied by the Harbour Master, I must say that
7 this discovery was made by the Signal Station last year,
8 and I am the person who started the negotiations in
9 order to obtain this list, which has been useful, as
10 you can see.

11 MR. JACQUES: I am sure that the
12 pilots will be very grateful to you for that.

13 THE CHAIRMAN: Is it really Exhibit
14 No. 560?

15 THE WITNESS: Perhaps 561.

16 MR. JACQUES: No. 563.

17
18 REAL PARE, sworn

19
20 DIRECT EXAMINATION BY MR. JACQUES:

21 Q. Would you give your full name?

22 A. Real Pare.

23 Q. And your age, please?

24 A. Thirty-six.

25 Q. What is your occupation, please?

26 A. Accountant for the Department.

27 Q. Since when?

28 A. The 6th of January, 1961.

29 Q. And you are assigned in particular to
30 the Montreal Pilotage Station?



French

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A. Yes, sir.

Q. Are you assigned to Pilotage since 1961?

A. Yes.

Q. Would you describe to the Commission the methods that you use in your post?

A. We do the billing for pilotage dues to reimburse them to the Pilotage Associations.

Q. In what way do you do the billing?

A. I receive the source forms for the pilots from the Montreal, Three Rivers and Quebec, then we determine details which have to be charged on the various tonnages, draughts, movage, cancellation, detention, and then we put them in a Burroughs machine which we have and this gives us the result of the day's billing. Then we send the bills to the agents of the companies and also the Pilots Associations, and Ottawa.

Q. Who does the calculation of fees which are paid by ships?

A. This is done by my clerk, Mr. Asselin.

Q. So it is your department which determines the amount each ship has to pay?

A. Yes.

Q. In order to figure out this amount you take the data contained on the source form according to the regulations which are applicable?

A. Yes.

Q. Do you check the information which appears on the source form?

A. Yes.

Q. How do you do that?



French 1

A. I check through the times of ordering the pilot, and when he boarded on the ship. Then we check the number of trips. If it is a direct trip from Montreal to Quebec, or from Quebec to Montreal, or if it is only from Montreal to Three Rivers. Then we establish the rates.

Q. How do you do this checking to check the times and ---

A. Well, the pilots inscribe these on the source form.

Q. How can you check if this is true?

A. Well, we take it for granted that it is.

Q. Do you also take it for granted that the tonnage is correct?

A. Yes, we do.

Q. Does the same thing apply to draught?

A. Yes.

Q. So you do not really check against any source the data which appear on the source form?

A. No, because if the tonnage or draught isn't correct we will soon find out, either from the agent or from the Pilots Association.

Q. And this information is put through the machine?

A. That is correct, from the Montreal point of view only.

Q. And each day you get the total of the billing. Then you said that you send bills either out to the shipowners or agents?

A. Yes.



French

1 Q. Do you send a copy of these bills to
2 the Pilots Associations?

3 A. Yes, we send a copy to the Pilots
4 Associations, and we send the original of the source
5 form to our Ottawa office.

6 Q. And each day this is done?

7 A. Yes. Now, the original source form is
8 sent to Ottawa once a week.

9 Q. Except the documents which are sent to
10 the Pilots Associations and other places, do you make
11 other accounts?

12 A. No, apart from the reimbursement of
13 collection to the Associations these are the only docu-
14 ments we transmit.

15 Q. Do you submit a final statement at the
16 end of the year?

17 A. No. We prepare a statement only for
18 the office.

19 Q. The money that you give to the pilots,
20 this is done by cheques?

21 A. Yes.

22 Q. To what name is the cheque made in each
23 case?

24 A. To the Montreal Association it is made
25 United Montreal Pilots Association. For Harbour pilots,
26 the Corporation of Montreal Harbour Pilots.

27 Q. Don't they have a French name?

28 A. Yes, but we do business in English as
29 much as possible. For Cornwall the cheque is made to
30 the Corporation of the St. Lawrence River and Seaway



French 1 Pilots.

2 Q. As to the Montreal Harbour pilots, I
3 think that according to Article 46, the second subpara-
4 graph of the Bylaws of the Montreal Pilotage District,
5 Exhibit No. 430, you must pay the pilot's share to the
6 pilot.

7 Now, I should like to read this Article.
8 I only have the English text.

9 THE WITNESS: I have the French text
10 here.

11 Q. (2) At the end of each month the
12 Supervisor shall compute the shares of the harbour pilots
13 in the Montreal Harbour Pilotage Fund on the basis of time
14 worked by each harbour pilot, during the month, and he
15 shall pay the harbour pilot a sum equal to his share.

16 Now, have you obtained authorization
17 from each pilot to give these amounts to the Corporation?

18 A. Yes, Mr. Melanson has proxies from the
19 pilots to that effect.

20 THE CHAIRMAN: For the harbour pilots,
21 of course.

22 MR. JACQUES: Yes, my lord.

23 Q. Now, from these funds do you pay any
24 expenses, both for the harbour pilots or the Cornwall
25 or the river pilots?

26 A. Yes.

27 Q. What do you pay?

28 A. For the Montreal harbour we pay of
29 course ten per cent of income to the Receiver General of
30 Canada, and for the Cornwall pilots we reimburse the



French 1 amount received in Cornwall for the taxis, and the taxis
2 are reimbursed.

3 Q. Are you concerned with the collection of
4 the pilotage dues yourself?

5 A. Yes.

6 Q. Can you give us an idea during which
7 period these dues are paid? Do you prepare what is
8 called in English aging reports?

9 A. These accounts are paid within two to
10 three weeks after the making of the account.

11 Q. Do you have many accounts of over three
12 weeks?

13 A. No, not many.

14 Q. Have you lost some accounts in one way
15 or another?

16 A. No, the accounts which have not been
17 paid for three or four years, they will stay in the book
18 until they have been paid.

19 Q. Do you plan to write them off?

20 A. Well, that depends on the Pilots Associa-
21 tion.

22 Q. Are you going to make a report to the
23 Association concerned?

24 A. Yes, I have reported on the fact, and I
25 have been told to leave them on the books for the time
26 being, anyway.

27 THE CHAIRMAN: Until the ship comes
28 back, anyway.

29 Q. Now, Article 21, paragraph 5, says,
30 amongst other things, and I quote:



French

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"At the end of every month the Secretary-Treasurer of the United Montreal Pilots shall forward to the Supervisor and to the Authority a statement showing: (a) all the moneys received by the Supervisor out of the Pilotage Fund; (b) the distribution of such moneys; and (c) such other information as the Authority might from time to time require."

Now, do you receive this statement?

A. Yes, I receive it for the Montreal pilots. This applies only to the Montreal pilots.

Q. Do you have a copy of such a statement with you?

A. No, I have one at the office.

Q. Could you bring one tomorrow, please?

A. I could give you a photocopy of the last report I have received.

Q. The Supervisor has just given us one. There is also a list of the pilots which has been filed with it. Could you bring the complete document tomorrow, or the last one which you have received?

A. Yes.

Q. Now, I am showing you Exhibits 526 and 527, the comparative statement of gains, both for Quebec-Montreal, Montreal-Three Rivers and Montreal Harbour pilots.

Will you please tell me if it is your



French 1 office that has prepared the figures which appear on
2 this document?

3 A. I am the person who has prepared the
4 statement.

5 Q. Now, have you participated in the work
6 of compilation of the average number of trips and effec-
7 tive number of pilots?

8 A. No.

9 Q. You have done no work on that?

10 A. No.

11 Q. Now, as to the Montreal pilots, Exhibit
12 No. 527, I note that in 1959 under item Average Expenses
13 per Effective Pilot you have written \$1,231.20, and for
14 the next years, 1961, 1962 and 1963, nothing appears
15 under that item.

16 Could you please explain?

17 A. Well, in 1959 the harbour pilots were
18 authorized to certain expenses for transport between
19 Montreal to the Seaway, and vice versa, and that was the
20 only year that they received that authorization. Today
21 this doesn't exist any more.

22 Q. On Exhibit No. 526, under Transportation,
23 you have indicated for each year going above \$4,000.

24 Will you please explain?

25 A. Well, this is transport of pilots from
26 Montreal to go to the Seaway or from the Seaway.

27 Q. Is this collected from the shipowners
28 through yourself?

29 A. Yes.

30 Q. As apart from the pilotage dues?



rench

1 A. Yes, this is collected on the same
2 account.

3 Q. It is a deduction, or an addition which
4 is made outside of the regulations?

5 A. Absolutely not.

6 THE CHAIRMAN: This is probably what
7 appears also on the exhibits as expenses, regarding
8 the Seaway.

9 MR. JACQUES: It is the same thing,
10 yes, my lord. You are referring to Exhibits 528, 529
11 and 530?

12 THE CHAIRMAN: Yes.

13 Q. Now, still on Exhibit 526, under Other
14 Revenue, Second Pilot, you have entries only for 1961
15 and 1962.

16 Will you please explain?

17 A. I don't know the regulations which were
18 applicable in 1958, 1959 and 1960. I know that in 1961
19 and 1962 from the beginning of December to the beginning
20 of April there is an additional charge during the winter
21 months for the second pilot on board ships which navigate
22 from Montreal to Quebec and vice versa.

23 Q. And you don't know if this existed before
24 1961?

25 A. No, I don't know.

26 Q. Still on Exhibit No. 526, item Total Net
27 Tonnage of Ships served. No entry?

28 A. That is because we have had no compila-
29 tion of total tonnage of ships which came to Montreal
30 during those years.



French 1 Q. But you have that for the previous years?

2 A. I thought you were referring to the
3 tonnage of ships.

4 In 1962 I didn't have that on my report.
5 My report didn't include these figures.

6 MR. JACQUES: That is all, thank you.
7 Your witness.

8
9 CROSS-EXAMINATION BY MR. LALONDE:

10 Q. Mr. Pare, you are aware that a certain
11 number of accounts are in suspense, outstanding?

12 A. Yes.

13 Q. And in certain cases you mentioned a
14 period of three or four years. Don't you have certain
15 accounts of certain shipping companies that have been
16 bankrupt ever since that time?

17 A. Yes, of companies or ships which are
18 bankrupt.

19 Q. Is there not a certain amount of
20 accounts which have been dismantled since?

21 A. Yes, to all practical purposes.

22 Q. Are you aware of Article 344 of the Act,
23 according to which there should be an authorization of
24 the ship before obtaining a certificate of the Pilotage
25 Authority to the effect that all pilotage dues have
26 been paid?

27 A. I am not aware of that fact.

28 Q. Could you please look at Article 344 of
29 the Act, and find out if to your own knowledge the
30 Customs Department ever tried to obtain those certificates



French 1 from your Service?

2 A. Not since I have been working for the
3 Pilotage Service.

4 Q. I understand that the checking of such
5 figures wouldn't fall within the accountant's juris-
6 diction?

7 A. No.

8 Q. It would fall within the jurisdiction of
9 the local Superintendent?

10 A. Yes.

11 Q. You mentioned the allowance which was
12 paid for the transportation from the harbour to the
13 St. Lambert Lock stopped in 1960. Since that date the
14 pilots pay for their own transportation from the St.
15 Lambert Lock to the Montreal harbour?

16 A. Yes.

17 Q. You stated that the documents, Exhibits
18 526 and 527, were prepared by you, at least in part?

19 A. Yes.

20 Q. I see that there is a distinction be-
21 tween tonnage and draught in Exhibit 526, so that if
22 this distinction doesn't exist in 1960 and the preceding
23 years, does that mean that the rates, or the tariff at
24 that time applied only for the draught?

25 A. I couldn't answer that question.

26 Q. In fact the preceding bylaws, which are
27 public information, indicate that for a few years in the
28 Montreal District the tariff has been based upon the
29 tonnage and draught, and probably what happened since
30 1958 up to 1960 was that the two were coupled together?



French 1 A. Yes, I think so.

2 Q. If I understand from the gross amount

3 indicated as total revenue from Exhibit 526, an amount

4 of ten per cent is deducted and sent to the Receiver-

5 General as a contribution to the pension fund?

6 A. Yes.

7 Q. And this amount is not given to either

8 the Pilots Corporation or the Pilots individually?

9 A. No, it is deducted at the source.

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French 1 Q. Now, in so far as everything that is
2 at the bottom of this sheet and which is classified
3 under the category of individual earnings, did you
4 ever have anything to do with those amounts or figures?
5 A. Do you mean average net earnings?
6 Q. What I want, is all items classified as
7 total aggregate number of trips, actual number of
8 pilots, number of effective pilots, average gross earn-
9 ings per effective pilot, average expenses per effective
10 pilot, average net earnings per effective pilot.
11 A. Well, this was worked out on a basis
12 of prorata according to the number of pilots and the
13 total amount of the billing.
14 Q. Was this done under your jurisdiction?
15 A. Yes.
16 Q. Did you not say that the net total ton-
17 nage had been adjusted by somebody else than you on
18 this document?
19 A. Yes.
20 Q. Well, who added that amount?
21 A. No. I do not know who.
22 Q. To whom did you send this document
23 before filing it with the Commission?
24 A. I sent it to my superior, Mr. Melanson.
25 Q. To your superior, Mr. Melanson?
26 A. Yes.
27 Q. The absence of indications for 1962,
28 you cannot explain?
29 A. No.
30 Q. Now, you mention in so far as the



French 1 total number of trips, was that calculated by you?

2 A. If you notice, all these figures are
3 not monetary figures. Those are in tons, expressed
4 in tons.

5 Q. Yes, I know.

6 A. I do not have them before me.

7 Q. You do not have them before you?

8 A. Perhaps this was added by the Ottawa
9 Office, I suppose.

10 Q. So far as the total number of trips,
11 was that calculated by you?

12 A. No. Mr. Viau prepared that.

13 Q. Now, in so far as the effective number
14 of pilots in the Districts, was that prepared by you?

15 A. Well, I took that information from Mr.
16 Viau also.

17 Q. Now, in so far as the number of effec-
18 tive pilots, who calculated that?

19 A. Mr. Viau. I got the information from
20 Mr. Viau.

21 Q. Do you know what an effective pilot
22 means, or what is meant by "effective pilot"?

23 MR. JACQUES: May it please the Com-
24 mission, the witness just stated that he did not prepare
25 that part of the exhibit; consequently, I do not think
26 it would be a good idea to ask him questions about that.

27 MR. LALONDE: I will not ask any
28 further questions about that subject of the witness.

29 THE CHAIRMAN: Mr. Viau is supposed to
30 come here tomorrow morning, anyway, with a special docu-
ment.



French 1

2 MR. JACQUES: I think that Mr. Melanson
3 can certainly give all the necessary information about
4 these two exhibits, and it is my intention to ask him
5 Mr. Melanson to give the explanations necessary on these
6 two exhibits. These exhibits have been filed at the
7 beginning of the hearing of the witnesses of the District
8 of Montreal in order to help my colleagues so that they
9 will be able to read those documents before they are
10 discussed.

11 THE CHAIRMAN: So it is necessary to
12 call other persons who took part in the completion of
13 these documents? We will do so, then.

14 MR. LALONDE: Thank you, my lord.

15 Q. Now, the calculation of gross revenue
16 by effective pilot is a figure that has been given to
17 you?

18 A. Yes.

19 Q. Now, the information concerning the
20 workload, did you have anything to do with those figures?

21 A. No.

22 Q. So do you know who prepared this informa-
23 tion?

24 A. Mr. Viau gave me the number of trips
25 that I divided by the effective number of pilots in order
26 to get this figure.

27 Q. For example, the average duration of
28 trip, was that compiled by you?

29 A. No, I think it was done at Ottawa. Well,
30 the same thing as for tonnage.

Q. And the average hours on board vessels



French 1 per effective pilot?

2 A. The same thing applies.

3 Q. It comes from Ottawa, you think? And
4 the beginning and the end of the navigation season, was
5 that prepared by you?

6 A. No. This was given to me by the
7 Pilotage Office. Mr. Viau, too.

8 Q. By Mr. Viau, too?

9 A. Yes.

10 Q. I must understand that the Local
11 Supervisot can be in a position to answer about that.

12 Now, if you look at Exhibit 527, I refer you to page 2
13 of that exhibit. Did you have anything to do with the
14 preparation of the information contained on page 2 of
15 Exhibit 527?

16 A. No, not at all.

17 Q. Do you know who prepared that document?

18 A. No.

19 Q. The second page of it?

20 A. No, I do not know.

21 MR. LALONDE: Thank you.

22 CROSS-EXAMINATION BY MR. BRISSET:

23
24 Q. Mr. Pare, you told us that in the case of
25 pilotage dues in the Cornwall District calculated by your
26 office, you handed back these dues to the Corporation of
27 the St. Lawrence River and Seaway Pilots?

28 A. Yes.

29 Q. According to what authority?

30 A. Under power of attorney, which is signed



French 1 by each pilot. Mr. Melanson, my supervisor, has the
2 power of attorney.

3 Q. To get back to the expenses that you
4 deduct, I understand that you deduct ten per cent of the
5 cost of pilots in the Montreal District to hand that amount
6 to the Pension Fund?

7 A. Yes.

8 Q. In the case of Cornwall, you deduct the
9 taxicabs. Do you have the amount, the gross amount?

10 A. No, probably we have it on the Cornwall
11 report.

12 Q. So this amount deducted is handed direct-
13 ly to the pilot and will appear on the report similar to
14 Exhibit 526?

15 A. Yes.

16 Q. For the Cornwall District?

17 A. Yes.

18 MR. JACQUES: I would like to explain
19 here that I am not trying to hide documents. But the
20 problem of taxis in Cornwall is closely linked to the
21 Kingston District as well, and the Local Superintendent
22 of the Kingston District is in a better position to
23 answer the question concerning this taxi system existing
24 there. The contracts providing for taxi service will
25 be filed with the Commission by the Cornwall Supervisor.

26 Q. Am I to understand, then, that in the
27 case of the Montreal harbour pilots there are no deduc-
28 tions made?

29 A. All the collections is given to the
30 Pilots Association of Montreal Harbour.



French 1

Q. And the name of which is the Corporation of the Montreal Harbour Pilots?

A. Yes.

Q. Now, you mentioned that you still have in your books the pilotage dues which have not been collected for a period of four years. These outstanding amounts -- can you tell us what is the total amount of outstanding accounts?

A. I think that you have it on one of the ageing reports, but I do not remember the exact amount.

Q. But this information is available?

A. Yes.

THE CHAIRMAN: So you are going to obtain this information?

MR. JACQUES: Yes, my lord, we are going to have a report about these collections.

Q. Are you aware that the majority of these outstanding dues were payable by freighters here in Montreal, in Canada, and not by the shipowners?

A. They were payable by agents who went bankrupt here in Montreal.

Q. On Form 526, and your attention was drawn to the fact that the figure for the net tonnage of the ships for the year 1962 was not shown?

A. Yes.

Q. Do you have this information in your books?

A. No, I do not have it.

Q. In looking at the pilot's reports, source forms, and by adding all the figures giving the



French 1 net tonnage, couldn't you obtain that figure?

2 A. We do not have an elaborate enough or
3 detailed enough system in order to compute the tonnage
4 on the IBM machine.

5 Q. Am I to understand that in so far as
6 the preceding years are concerned, the figures shown
7 on that Exhibit 526 did not come from your own records
8 but were given Ottawa?

9 A. By another source, yes.

10 THE CHAIRMAN: In order to complete
11 your former comment, Mr. Lalonde, concerning Article 344,
12 I think that it is for the pilotage dues which are paid
13 at the moment of departure and then afterwards you have
14 some accrued dues after the departure. I do not know
15 if the procedure is followed according to Article 344.

16 MR. JACQUES: The pilotage dues, anyway,
17 are privileged.

18 THE CHAIRMAN: Under the condition that
19 you can lay your hand on the ship?

20 MR. JACQUES: Naturally. Thank you,
21 Mr. Pare. Can you please bring tomorrow your Ageing
22 Report?

23 MR. LALONDE: With your permission,
24 my lord, perhaps the witness could also bring, as he
25 has referred to the three or four last years, the
26 amount of outstanding account at the end of each year.
27 I think he mentioned that the delay for payment is
28 about fifteen days to three weeks.

29 THE WITNESS: Yes.

30 MR. LALONDE: And I remember certain



French 1 periods of time when it was more. It will be inter-
2 esting to find out if there was a considerable improve-
3 ment about that, and I think there was an improvement.

4 THE CHAIRMAN: I suppose also that
5 in the list of the old accounts we will find the detail
6 as to the name of the ship and since when those accounts
7 are outstanding?

8 MR. JACQUES: Yes, my lord. This
9 information can be given easily.

10 THE CHAIRMAN: Naturally, the accounts
11 at the end of the navigation season which are not paid
12 are outstanding.

13 MR. JACQUES: Yes. Thank you.

14
15 JACQUES MELANSON, sworn

16
17 DIRECT EXAMINATION BY MR. JACQUES:

18 Q. Mr. Melanson, will you please state your
19 full name?

20 A. Jacques Melanson.

21 Q. Your age?

22 A. Fifty-five years old.

23 Q. What is your position?

24 A. I am District Supervisor, Montreal
25 Harbour and Cornwall.

26 Q. Montreal Harbour and Cornwall. Since
27 when?

28 A. Since 1952.

29 Q. And preceding 1952, did you work in
30 the service of pilotage?



French 1 A. Yes. I started in 1929.

2 Q. In 1929. Have you always stayed in

3 Montreal?

4 A. Yes.

5 Q. Ever since 1929, and ever since 1951

6 as District Supervisor? Since 1951 as District Supervisor.

7 A. Yes.

8 Q. Now, will you please look at the Regu-

9 lations? I would like to refer you to Article 2,

10 subparagraph (c) of the General Bylaws, Montreal District,

11 the Article which defines the expression "Assignment

12 List", in English. Mr. Viau explained to us in detail

13 the way in which this assignment list was applied or

14 working during the season; however, I omitted to ask him

15 how that list was established at the beginning of the

16 season. How do you start this assignment list at the

17 beginning of the season?

18 A. Well, in the first place, to start one

19 season we use the end of the preceding navigation season.

20 A pilot who ends with the least number of turns is put

21 first on the list, in order to start the new navigation

22 season, and the one who has the greatest number of turns

23 is put at the end of the list, each according to the

24 number of turns.

25 Q. Is the same procedure followed for the

26 Quebec — Three Rivers pilots, Three Rivers — Montreal,

27 Montreal Harbour and Montreal-Cornwall?

28 A. Yes, exactly the same system is applied

29 in all districts.

30 Q. This is how your list starts every year?



French 1 Now, still in the same Article of the General Bylaws,
2 I notice that in the definitions we do not find a
3 definition of the word "Moveage".

4 A. It used to be part of the definition,
5 but it was struck out.

6 Q. Did that give rise to certain diffi-
7 culties, the fact that this definition of Moveage was
8 struck out?

9 A. Not to my knowledge. Certain comments
10 were made by pilots to the effect that it was better to
11 have the definition of Moveage in the General Bylaws,
12 but the definition remained struck out.

13 Q. And nobody questioned the enforcement
14 of the General Bylaws because this definition of the
15 word Moveage was not in the General Bylaws?

16 THE CHAIRMAN: Naturally, the word
17 should appear in the Appendix.

18 MR. JACQUES: Yes. It is there, my
19 lord, but it is not defined, while it was defined in
20 all the other bylaws that we have had up until now. At
21 any rate, my lord, the expression "Moveage is defined
22 indirectly in Article 357 of the Canada Shipping Act.

23 Q. Mr. Melanson, according to Article 3 of
24 the General Bylaws of the Montreal District, you make
25 certain instructions in order to see to it that the
26 bylaw be enforced concerning the conduct of pilots and
27 the appearance of pilots and apprentices before you.
28 I think the Montreal District has enacted regulations
29 for the administration of the assignment list for the
30 pilots of the Montreal and Quebec Districts?



French

1 A. Yes.

2 MR. JACQUES: I would like to file
3 this document as Exhibit No. 565.

4 ---EXHIBIT NO. 565: Regulations for Administration
5 of the Assignment List for
6 Pilots of the Montreal and
7 Quebec Districts.

8 Q. This document was printed in French.
9 Does there exist an English version?

10 A. No.

11 Q. We are going to go through each Article
12 of this Regulation. In the first place, you are going
13 to tell me if these Regulations have been drafted by you?

14 A. Allow me to give the historical back-
15 ground of this. When I started in Pilotage in 1929,
16 there were some rules which were followed and we were
17 told to follow because I have had to have so many appren-
18 tices in the office. But these were routine regulations
19 and were not written down. There were about 57 pilots.
20 Everybody knew those rules and everybody followed them
21 in the District. Of course, with traffic increasing,
22 the number of pilots increased to 65, 70, 75, 80 and
23 since we had to change our staff throughout the war many
24 times, we started writing down some regulations and to
25 post them in the office so that each pilot might refer
26 to them. It was something recognized that they were
27 the basic regulations that everybody should follow.

28 So, to help the office people and
29 the pilots, we wrote down regulations to the point that
30 when the number of pilots had increased so much and the



French 1 difficulties which were due because of the change of
2 staff, the Committee came to see me and asked me if it
3 wouldn't be a good thing to write down regulations
4 which could be used as a basis. So the Committee came
5 with this proposal. We discussed it together. I
6 approved them. I think the Committee presented them
7 to the General Assembly of Pilots. They discussed them
8 and after this had been accepted by the General Assembly,
9 as it appears on the last page, the President came to
10 see me, could I have this mimeographed after they signed
11 it, together with me, and one copy was sent to each
12 pilot. This is really the Bible for the District.

13 Q. Now, when were these regulations
14 officially adopted?

15 A. The first time I would say about five
16 or six years ago. Before that I had written down a few
17 regulations, with Mr. Viau's help and the staff's help
18 and we had about twenty regulations -- general regulations
19 -- which were followed up by pilots because it was a
20 recognized fact that everybody followed those regula-
21 tions.

22 Q. And those regulations have been revised
23 from time to time. Now, then, your regulations, have
24 they been submitted and discussed by the Pilots Com-
25 mittee?

26 A. Yes, always. It is always the Com-
27 mittee who comes to see me. We discuss it and we keep
28 what is absolutely necessary for the good expedition in
29 the District and I can say that this removes a great deal
30 of discussion which we had before with certain pilots.



French 1 Now we can say there are the list of regulations, it has
2 been accepted. This has made administration possible
3 because otherwise it would be almost impossible because
4 of all sorts of squabbles. One person wanted some-
5 thing one way, the other one the other way. One thought
6 this was convenient and the other did not. So it has
7 been accepted in general and the pilots have discussed
8 it and accepted it, so everybody follows it.

9 MR. JACQUES: As this document exists
10 only in French, it would be perhaps a good thing if I
11 translated it as we are discussing it, unless the
12 Commission consider that the interpretation is sufficient.

13 THE CHAIRMAN: I think I will make
14 another suggestion. Can we have a written translation
15 of it made?

16 MR. JACQUES: Yes, I think that is
17 possible, my lord.

18 THE CHAIRMAN: But for the evidence
19 you are going to say it in French and the interpreter
20 will translate it. However, the Commission would like
21 to have an English copy.

22 MR. JACQUES: This document is en-
23 titled "Regulations for Administration of the Assignment
24 List for the Pilots of the Montreal and Quebec Districts."
25 The first title is "General". The first article is
26 as follows:

27 "When he is called on his turn, a
28 pilot must go to the station by any
29 means, train, bus, private car, taxi,
30 etc., in order to reach the office at



French 1 the time at which he is convened."

2 Q. Mr. Melanson, this implies that when
3 the pilot is called to take his turn, he must come to
4 your office. Does he really go, in fact, to the office?

5 A. No. Today, with the transportation
6 facilities available, the great majority, in most cases
7 this is done by telephone. We phone the pilot at home
8 and from home he goes directly to the boat, for the
9 time that he has been requested.

10 Q. Is there a modification of Article 1
11 discussed by the pilots?

12 A. No. I think this Article applies to a
13 pilot who leaves the station and goes home because he
14 is far down on the list, and when his turn is close we
15 call him and ask him to take his turn in the office,
16 or in his room, as close to the time as possible. So
17 it is up to him to take either a train or bus or car.

18 Q. So you allow pilots to wait for being
19 called at their domicile?

20 A. No. If a pilot has to have a turn in
21 Montreal, and he is thirtieth on the list and if we see,
22 according to our forecast, that it is going to take a
23 whole day, well, he asks to go home and we let him go
24 and when he comes back it is because his turn is
25 approaching. So he comes back to Montreal and he
26 comes to the Station by any means -- train, etc.

27 Q. The pilot who lives in Montreal, does
28 he wait for his turn at home?

29 A. Yes. Sometimes in a summer home or
30 nearby the pilot, when his turn approaches, does not have



French 1 to come to the station and call in although, according
2 to the regulation, he is supposed to sign a record at
3 the office, in order to find out the latest events which
4 have gone on in the river; but this would mean an addi-
5 tional expense which would be quite important in some
6 cases. So if the pilot or the agent calls him, we give
7 him by telephone all the changes which take place in
8 the river and usually the pilot asks what are the latest
9 things which have taken place or have happened in the
10 river. A dredge has been displaced or a buoy that has
11 been painted, or things like that. Though sometimes a
12 pilot who lives on the eastern part of the town would have
13 to come to the centre.

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French 1

Q. How far does he have to go to take
2 his ship?

3 A. Section 670.

4 Q. Does it happen that the pilots come
5 into the office?

6 A. Yes, when they bring their pilotage
7 cards some of them stop and read the notices, and some
8 of them even wait for their turns at the office.

9 Q. Now, in Article 2, in all cases of
10 delay the office must be advised as soon as possible.

11 Are you advised regularly on this?

12 A. Well, Article 2 is in relation to
13 Article 1. If we have asked a pilot to take his turn
14 and come, and there is a delay, supposing he has taken
15 his car, and he has a flat tire, and necessarily he is
16 going to be late, because he has no other way of reaching
17 the place, so he has to find a phone under Article 2, and
18 inform us that he is going to be late.

19 Q. Does it happen that pilots lose their
20 turn because they are late for one reason or another?

21 A. No, very seldom.

22 Q. Article 3? When a pilot on duty sees
23 that a buoy or light doesn't function properly he must
24 report by radio, and when he is disembarking check that
25 this report has been received and posted at the office.

26 I think that this Article of your
27 Regulations should be read in conjunction with subparagraph
28 (4) of Article 12, which says: A pilot who becomes aware
29 of any defect in the operation or in the position of an
30 aid to navigation, or who observes any alteration to



French 1 banks or channels, shall immediately report such defect
2 or alteration to the Supervisor by whatever means may be
3 available.

4 In practice, do the pilots follow this
5 regulation faithfully?

6 A. Generally, yes.

7 Q. Are you aware of cases where pilots
8 didn't report defects to aids to navigation, knowing
9 that such defects have occurred?

10 A. No.

11 Q. Now, can we include in this Article
12 complaints which pilots might make concerning aids to
13 navigation?

14 A. Some times what happens is I receive
15 a visit, or a call, from a pilot saying, "Well, such a
16 buoy at such a place, the light has been out for the
17 past two days," and I will ask him, "How do you know that
18 it is out for two days?" "Well, I went by there
19 yesterday and it was out," and I ask him, "Have you
20 reported it yesterday," and he says "No. Somebody else
21 must have reported it," so I tell him that he should
22 have reported it.

23 Q. How?

24 A. Usually it is done by radiotelephone.

25 Q. Does the pilot check that his report
26 has been received?

27 A. Yes, he comes and sees me and I check
28 at the office to find out if such-and-such a report
29 has been received, and if the District Marine Office has
30 been advised, etc.



French 1 Q. So these reports have been made, if I
2 can use previous evidence, it is posted in the office
3 through the Pilotage Signal Service.

4 Now, Article 4 of the Regulations:

5 No official message by radio or teletype shall be made
6 by an office clerk. Only Supervisors have that power.

7 In Supervisors do you include Mr.
8 Monarque?

9 A. Yes, Mr. Monarque and Mr. Viau.

10 Q. Is this rule applied?

11 A. Before a clerk makes such a message he
12 must come to see me, Mr. Viau, or Mr. Monarque, to see
13 how the message should be drafted.

14 Q. The evidence that we have had so far
15 to the effect that clerks at night are alone, that super-
16 visors, either yourself or Mr. Monarque, are not at the
17 office at night and during the weekends, you aren't at
18 the office either? I thought from Mr. Monarque's
19 evidence an automatic system existed, that there was
20 a tacit agreement that when a certain message came in
21 it was broadcast by radio or teleprinter?

22 A. There are messages which are extremely
23 important, and others are routine messages. Any rou-
24 tine messages the clerk can see how he should send it
25 out. If it is an important message any time at night,
26 or any time during the weekend, they will call me at home,
27 or Mr. Monarque, and that happens often.

28 THE CHAIRMAN: I suppose you have a
29 lot of questions?

30 MR. JACQUES: Well, there are sixty-



French 1 seven Articles, my lord.

2 THE CHAIRMAN: Do you mean you have
3 only sixty-seven questions?

4 We will adjourn until tomorrow morning
5 at ten o'clock.

6
7 ---At 5.00 p.m. the hearing was adjourned until
8 10.00 a.m., on July 12th, 1963.

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ROYAL COMMISSION

ON

PILOTAGE

HEARINGS

HELD AT

MONTREAL

QUEBEC

VOLUME No.:

48A

DATE:

July 12, 1963

OFFICIAL REPORTERS
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ROYAL COMMISSION ON MARINE PILOTAGE

Proceedings of the hearing
held at the Court House,
Montreal, Quebec, on the
12th day of July, 1963.

COMMISSION:

The Honourable Mr. Justice Bernier	Chairman
Robert K. Smith, Esq., Q.C.	Member
Harold A. Renwick, Esq.	Member
Mr. Gilbert Nadeau	Secretary

COMMISSION COUNSEL:

Mr. Maurice Jacques

PRESENT:

Mr. Leopold Langlois, Q.C.	for the Canadian Merchant Service Guild
Mr. J. Brisset	for the Shipping Federation of Canada
Mr. J.M. Jacques	for the National Harbours Board
Mr. J. Mahoney)	for the Dominion Marine Association
Mr. C. Mason)	
Mr. Marc Lalonde	for the Federation of St. Lawrence River Pilots; Corporation of the Lower St. Lawrence Pilots; the Corporation of the Mid-St. Lawrence Pilots; the Corporation of the Montreal Harbour Pilots; the Corporation of the St. Lawrence River and Seaway Pilots; the Corporation of the Upper St. Lawrence Pilots
Captain J.S. Scott	Technical Advisor to the Commission
Captain F.S. Slocombe	for the Department of Transport and liaison officer



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TORONTO, ONTARIO

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Montreal, Quebec,
Friday,
July 12, 1963

--- Upon commencing at 10.00 a.m.

REAL PARE, recalled, sworn

RE-DIRECT EXAMINATION BY MR. JACQUES:

Q. Mr. Pare, for the purposes of records, could you please repeat your name and your present position?

A. Real Pare, accountant for the Department.

Q. Did you bring with you your different records concerning the collection of pilotage dues?

A. Yes. I do have them here. I have brought the ageing reports for Montreal, Three Rivers and Cornwall Districts and outstanding accounts. For the outstanding accounts for the preceeding years, I have indicated the number of bills or accounts and the years during which these accounts were outstanding.

MR. JACQUES: With the permission of the Commission, I would like to file these reports, ageing for the Cornwall District, the Montreal District, which includes the River and the Montreal Harbour.

Q. Mr. Pare, insofar as the report for the River area, your section, I notice that there is a company by the name of Shipping Company Limited which has incurred pilotage dues in the amount of \$6,915.00 during the year 1962; is that true?

A. Those are accounts payable for the months of May and June and that company pays us regularly



1 FRENCH

2 enough in big amounts each time, so \$6,000.00 to \$8,000.00
3 does not seem to be too great for that company.

4 Q. These ageing reports, they cover only
5 the months of May and June?

6 A. These ageing reports are prepared once
7 a month, at the end of the month, and cover the balances
8 receivable at the end of each month.

9 Q. Now, your ageing reports which will be
10 filed as exhibit 566 are ageing reports of June 28th, 1963,
11 for the Montreal District, including the harbour and
12 the river and also the Cornwall District.

13

14 --- Exhibit No. 566: Aging reports of June
15 28th, 1963 for Montreal
16 District, including
17 harbour and river and
18 also Cornwall District.

17

18 Q. Now, these reports, in the first column,
19 give the name of the agent?

20 A. Yes. In the second column the total
21 amount of accounts receivable and in the third column the
22 accounts of the current month; the fourth column, the
23 accounts of the preceding month and the fifth column,
24 for the preceding months and over ninety days in the last
25 column.

26 Q. In each of these reports, insofar as the
27 past-due accounts for more than ninety days, you have
28 made special mention on the report. Can you explain this?

29 A. Those mentions constitute the number
30 of accounts for each year or the number of billings for



1 FRENCH

2 these accounts every year.

3 Q. Now, would you take as an example the
4 name of the agent, Bingo. The account is for \$549.69.

5 A. This constitutes four bills.

6 Q. For pilotage services incurred during
7 the year 1960, to give a total amount of \$549.69?

8 A. Yes.

9 Q. Among these bills which have been out-
10 standing or have been past-due for more than ninety days,
11 can you please indicate those that would be concerned
12 with companies or shipping companies which are now bank-
13 rupt, according to your knowledge. You referred to the
14 report of the river section?

15 A. Yes. The "Bingo" is one; "Gudveig" ---

16 Q. Yes.

17 A. The "Hope Ridge", the "John G. L.", the
18 "Mariviki", the "Nagusena", the "Prosper", the "Rookley",
19 the "Vesteroy", the "Wahconda", the "Zonnewijk".

20 Q. Now, can you please give us the same
21 information insofar as the accounts receivable are con-
22 cerned for the Montreal Harbour.

23 A. The "Gudveig", the "Hope Ridge", the
24 "John G. L.", the "Nagusena", the "Prosper", the "Rookley",
25 the "Serre", the "Vesteroy", and the "Zonnewijk".

26 Q. Can you please give us the same informa-
27 tion as regards the accounts receivables for the Cornwall
28 District.

29 A. The "Anne Marie", the "Antonio", the
30 "Gudveig", the "Hope Ridge", the "John G. L.", the



1 FRENCH

2 "Mariviki", the "Nagusena", the "Rookley", the "State of
3 Assam", the "Vesteroy", the "Zonnewijk".

4 Q. So it is about the same ships?

5 A. Yes. This is the balance sheet for the
6 Montreal United Pilots, which is submitted once a month,
7 accompanied with the list of salaries or payroll of the
8 pilots. This is a copy of a report that Mr. Melanson had
9 before him yesterday.

10 MR. JACQUES: In accordance with the regulations
11 or by-laws, every month these documents are transmitted
12 to you and I would like to file a photo copy of them as
13 exhibit 567 and the title of the document will be:
14 "Corporation of the Mid-St. Lawrence Pilots' Balance Sheet
15 for the Month of May, 1963", which is accompanied by a
16 document entitled "Pilots' Earnings during the Month of
17 May, 1963."

18

19 --- Exhibit No. 567: Photo copy of documents:
20 "Corporation of the Mid
21 St. Lawrence Pilots'
22 Balance Sheet for the
23 month of May, 1963",
24 accompanied by "Pilots'
25 Earnings during the
26 Month of May, 1963."

24

25 Q. These documents are not sent to you in
26 French?

27 A. No.

28 Q. Do you have good control over the earn-
29 ings paid to the pilots by this Corporation of the Mid
30 St. Lawrence Pilots?



1 FRENCH

2 A. No, no control whatsoever.

3 Q. What do you do with this information
4 which you receive through that Corporation?

5 A. Well, I check my billing against the
6 figures that they have sent here in the section "earnings"
7 which is should be equal to the total amount of my billing
8 in the course of the month indicated there.

9 Q. The figures appearing on that exhibit
10 number 567, can you explain something about them?

11 A. Well, I could explain these figures
12 insofar as the earnings are concerned.

13 Q. Which include what station?

14 A. Exactly what we billed for the station:
2 15 moveage, cancellation, transport and detention.

16 Q. Do you have in your accountancy similar
17 stations?

18 A. Yes.

19 MR. JACQUES: Thank you. Your witness.

20
21 CROSS-EXAMINATION BY MR. LALONDE:

22

23 Q. If I understand properly, Mr. Pare,
24 exhibit 567 is a document that you send to the Mid St.
25 Lawrence Pilots Corporation?

26 A. Yes.

27 Q. Is there a reason why this document is
28 sent only in English?

29 A. No.

30 Q. This is what is sent by the Corporation?



1 FRENCH

2 This is not a document that you send, the one that you
3 have before you?

4 A. Well, the one that I have before me is
5 a document that I send to the Corporation.

6 Q. No. I was referring to exhibit 567
7 which was coming from the Mid St. Lawrence Corporation
8 of Pilots. This is sent by the Corporation to you?

9 A. Yes.

10 Q. Do you receive at the end of the year an
11 annual balance sheet from the Corporation or is it only
12 on the monthly basis?

13 A. Only on a monthly basis.

14 Q. Did you compile all the outstanding
15 accounts up to now or rather at the end of each year that
16 would be shown in the document exhibit 566?

17 A. Ageing reports, yes.

18 Q. I see the name of a company which is
19 called "H. C. Druce and Company". Are you aware of a
20 letter which would have been sent by that shipping company
21 at the end of the year 1962?

22 A. No, it was at the beginning of 1963.

23 Q. What were the contents of that letter?

24 A. H. C. Druce and Company says that it was
25 impossible for them to pay right now and that their
26 account would be paid eventually.

27 Q. I would like to show you a photo copy of
28 a letter addressed to the Montreal Pilotage District
29 dated December 18th, 1962. Would that be the letter in
30 question?



1 FRENCH:

2 A. Yes. I am sorry. I was under the
3 impression that we had received it at the beginning of
4 1963.

5 Q. So it was in December, 1962? That
6 latter contains a list of outstanding accounts receivables
7 and contains the following mention:

8 ENGLISH:

9 " In view of unavoidable but insurmount-
10 able delays in collecting moneys due to us,
11 we know now that it will be impossible to
12 settle these accounts before 31st March, 1963.
13 We feel that you will appreciate our explaining
14 the matter directly to you, rather than when
15 you start pressing for your money.

16 However, these accounts will be paid
17 at that date or within ten days thereof."
18 Have these accounts been paid up to now?

19 A. No, not entirely.

20 Q. A certain part of them have been paid?

21 A. I would say about fifty per cent of them
22 have been paid?

23 MR. LALONDE: This is a photo copy of the
24 letter which has been sent by the Pilotage Authority to
25 the Montreal Corporation, in order to explain the delay
26 in paying the accounts. Can I file it?

27 THE CHAIRMAN: Yes. If you can, it would be
28 helpful for the record.

29 MR. LALONDE: It will be filed as exhibit 568.

30



1 FRENCH:

2

3 ---

Exhibit No. 568: Photo copy of a letter
from H. C. Druce and
Company to the Montreal
Pilotage Authority dated
December 18th, 1962,
referring to accounts
receivables.

7

8 Q. To your own knowledge, was a copy of that
9 letter sent to the Corporation of Mid St. Lawrence Pilots
10 or the United Montreal Pilots?

11 A. Yes. I did send it myself.

12 MR. LALONDE: Thank you.

13

14 DIRECT EXAMINATION BY MR. JACQUES:

15

16 Q. After you had sent that letter that you
17 had received from Mr. Druce, can you please tell us if
18 the Corporation of Pilots made any comments about those
19 accounts?

20 A. Not that I remember.

21

22 CROSS-EXAMINATION BY MR. LANGLOIS:

23

24 Q. Mr. Pare, I notice in the contents of
25 exhibit 566 the name of the ship the "Matton Tug". Can
26 you tell us if this is a Canadian ship, or do you know?

27 A. I do not know.

28 Q. Are the owners Canadians, according to
29 your information?

30 A. I do not know that either.



1 FRENCH

2 Q. Mr. lord, in that case, the owners of the
3 "Matton Tug", which were also the owners of the
4 "Nagusena", and which is a Canadian Shipping Company, went
5 bankrupt and those ships were sold and naturally the
6 pilotage dues were not protected while they could have
7 been easily protected.

8 THE CHAIRMAN: On that point, perhaps we can
9 find out if the witness received a notice of bankruptcy.

10 Q. Did you receive a notice of bankruptcy
11 from the Iron Shipping?

12 A. That was before my time.

13 Q. Now, I would not like to leave the
14 impression that this client of the Pilotage Authority is
15 a bad debtor. I notice that the name of the Minister of
16 Transport is in the list. Now, the ships from the
17 Department of Transport hire pilots at times?

18 A. Yes.

19

20 CROSS-EXAMINATION BY MR. LALONDE:

21

22 Q. Didn't you have an account outstanding
23 for more than ninety days on the part of the Canadian
24 Merchant Navy?

25 A. No, I do not think so.

26 MR. LALONDE: Thank you.

27 MR. BRISSET: With your permission, I would
28 like to make a statement to the effect that none of the
29 vessels whose accounts are outstanding are ships whose
30 owners are members of the Canadian Shipping Federation.



1 FRENCH:

2 I have calculated that approximately and insofar as out-
3 standing accounts are concerned, twelve of them have to
4 do with ships that were chartered with the Lake Shipping
5 Company which went bankrupt in 1959, I think.

6 MR. LALONDE: I have received instructions to
7 support the statement of my colleague insofar as the
8 members of the Shipping Federation concerning the payment
9 of pilotage dues.

10 MR. JACQUES: The company went bankrupt because
11 the pilotage dues were too high, I guess.

12 THE CHAIRMAN: Perhaps it would be a good idea
13 to find out how the collection is made when there are
14 cases of delaid accounts or cases of bankruptcy, in order
15 to find out that these cases be protected legally.

16 MR. JACQUES: Yes, my lord. Mr. Melanson is
17 going to testify about that.

18 Mr. Melanson, if you please.

19
20 JACQUES MELANSON, recalled

21

22 DIRECT EXAMINATION BY MR. JACQUES:

23

24 Q. Would you please repeat your name and
25 your function?

26 A. Jacques Melanson, supervisor of Montreal
27 District and the Montreal Harbour and Cornwall.

28 Q. I think yesterday we were examining
29 Article 5 of the Regulations for the administration of
30 the assignment list of the Montreal District Pilots.



1 FRENCH:

2 This regulation number 5 reads as follows:

3 " The Pilots should send their E.T.A.
4 two hours in advance even if they signal in
5 passing the signal station. They must men-
6 tion the destination of the ship, either
7 Europe or Port Alfred, and the tonnage or
8 if they are going to anchor. In this last
9 case they must mention if they want a launch."

10 Can you tell us or give us the historical
11 background of this article and also the reasons for it?

12 A. A pilot going downbound, going by
13 Batiscan and Sorel, going down by the signal station, they
14 give their E.T.A. which gives two hours before reaching
15 Three Rivers.

16 Q. And two hours before reaching Montreal?

17 A. No. Batiscan is for Three Rivers.

18 Q. For Three Rivers. Excuse me. Now, the
19 shout in passing, what does that mean?

20 A. That is to call the attention of a
21 signal service clerk on duty in case the transmission or
22 the E.T.A. message might have been delayed for some reason.

23 Q. This is something to do with the siren
24 of a ship? Is there a special signal for that?

25 A. I should have to check my signal code
26 to know exactly what.

27 Q. There is no mention in this article as
28 to whom it is sent and how?

29 A. By using a signal going in front of
30 Sorel, it is sent by teleprinter to Three Rivers.



1 FRENCH:

2 Q. And how does the pilot make this E.T.A.
3 known?

4 A. He sends a radio message to Three Rivers,
5 either radio or a telephone message, and the station
6 transmits this to the pilotage office in Three Rivers.

7 Q. And he mentions the destination, either
8 Europe or Port Alfred and the tonnage?

9 A. It is always from yesterday. In the
10 first place, the destination when Three Rivers receives
11 that of the ship, the E.T.A. is put on the teleprinter
12 in Quebec, to know if the ship is going to the Saguenay,
13 for instance, and then the Quebec office knows where the
14 ship is going by giving destination.

15 Q. But why choose Port Alfred?

16 A. That is for the Saguenay. That is to
17 indicate to the Quebec office if the ship is going to the
18 Saguenay or is going directly to Les Escoumains or to
19 Europe or Newfoundland --- anyway, that it is going out
20 of the St. Lawrence.

21 Q. Regulation number 6 reads as follow:

22 " No pilot should leave the station with-
23 out beforehand obtaining permission from the
24 Supervisor or his deputy in authority. The
25 pilots in turn should be constantly available
26 at the office."

27 This article, as well as the first article,
28 says that the pilot should wait his turn at the station?

29 A. We might think that he is at the station,
30 but as I explained yesterday, the pilot either waits at



1 FRENCH:

2 home or at hotels because today we do not have enough
3 space at the office for the pilot to wait comfortably.

4 Q. Has this led to any inconvenience?

5 A. As far as I know, no.

6 Q. Article 7:

7 " Any pilot leaving his turn in Montreal,
8 Three Rivers or Quebec, must take his turn
9 where he has left it, and to transfer your
10 station is only done if the Authority deems
11 it necessary and under instructions of the
12 Authority."

13 Will you please explain this regulation?

14 A. When the pilot is on any turn, either in
15 Montreal, Three Rivers or Quebec, he can ask permission
16 to go home. That might be to Three Rivers. So, when he
17 lives in Montreal, instead of waiting in Three Rivers,
18 he asks to go home and his turn is kept in Three Rivers
19 as if he were staying in Three Rivers, and it is up to
20 the Three Rivers office to have him come back in time for
21 his turn. Except that when arriving in Montreal, we
22 might have more trips than we expected, so the pilot who
23 lives in Montreal or Three Rivers who goes home must come
24 back.

25 -

26 -

27 -

28 -

29 -

30 -



1 FRENCH

2 Q. Does this happen often?

3 A. Yes, that happens quite often.

4 Q. Does it happen often that a pilot living in
5 Montreal, being in turn at Three Rivers, comes to Montreal,
6 and because of the volume of traffic takes his turn in
7 Montreal?

8 A. Well, it is difficult to give an example,
9 but that happens. It depends on traffic, of course.

10 Q. Article 8: A pilot in turn on a station
11 who leaves his turn without authorization will be reported
12 to the Supervisor, and will be replaced in turn by him or
13 his Deputy at the station where he has left his turn.

14 A. When a pilot reaches a station he is put in
15 turn at that particular station.

16 Q. Does it happen that a pilot leaves his turn
17 without authorization?

18 A. Not often; very seldom, because they know if
19 they leave their turn without authorization, if they are
20 needed, and if they are not on the station, well, their
21 name will be taken off the list and the case is reported to
22 me, and he will be put on the turn only the next day, or
23 the day after, and he might lose a day or two. He will be
24 losing money.

25 Q. You say he will lose money?

26 A. He might have appenalty, and he is reported
27 to the Association. I think they have a system: for one
28 day of absence they withdraw a certain amount from their
29 salary, so he is punished by that.

30 Q. Article 9: The pilot must be informed that



1 FRENCH

2 he is first on turn between 8 o'clock in the morning and
3 9 o'clock in the evening.

4 A. No, all the pilots in turns, when they
5 reach the top of the list, after we have ordered a pilot
6 and the second becomes first, so that he has to be informed
7 that he is first in turn from 8 o'clock in the morning till
8 9 o'clock in the evening. If they are home sleeping they
9 don't want to be disturbed to be told that they are first
10 on the list.

11 Q. So that is for the convenience of the pilots?

12 A. Yes. It would be absurd to wake them up to
13 tell them.

14 Q. Article 10: When a ship stops at Quebec for
15 quarantine a pilot shall be ordered only when the master
16 asks for his pilot. This ship shall be considered as a
17 ship in the harbour.

18 Please explain why you should have rules which
19 apply to the Harbour of Quebec in regulations applying to
20 the District of Montreal?

21 A. Well, I am Supervisor of the District for
22 all pilots from Montreal to Quebec, and I think the Commis-
23 sion will sit in Quebec, and probably you might have more
24 information in Quebec.

25 Q. But how come that rules which are laid down
26 for the Montreal District can be applied in the Harbour of
27 Quebec? Do you consider that Quebec is in the District of
28 Montreal?

29 A. Yes, of course.

30 Q. Please explain.



1 FRENCH

2 A. Any foreign ship going up the St. Lawrence
3 coming from a foreign harbour must go through quarantine
4 before going on. The procedure for quarantine - sometimes
5 this is done by radio; it depends from what country the
6 ship comes. If the medical officer thinks that he should
7 go on board to make an examination, the ship has to stop
8 in Quebec, and no ship can go by Quebec without having
9 authorization from quarantine, when they come from a
10 foreign country.

11 Q. That means when a foreign ship reaches
12 Quebec and takes a pilot for Quebec and Montreal, if the
13 ship is in quarantine the pilot won't go on board ---

14 A. Because you have to wait for the doctor to
15 arrive in the first place. When she arrives in Quebec the
16 doctor has to go on board, and he might make an examination,
17 and you don't know how long it might take. Each case is
18 different.

19 Q. What does the last sentence mean; this ship
20 shall be considered as a ship in the harbour?

21 A. Taking a case of a ship going up and a ship
22 which is in Quebec, and both ships ask for a pilot at the
23 same time, you will see that later on the ship going
24 upstream, one of them has precedence over the other, but I
25 don't know which one. So you have to consider one of them
26 as being a ship in the port. It is for the office to send
27 the pilots to the first ship who has priority, and yet the
28 two ships might arrive at the same time. It is to know to
29 whom you should make the first pilot available.

30 Q. Article 11: When a pilot is ordered by a



1 FRENCH

2 ship he must go and meet the captain and discuss conditions
3 with him. Upon the advice of this pilot if the ship is
4 delayed for safety reasons the pilot must remain assigned
5 to this ship and advise those concerned of the departure
6 time.

7 I go back to the first sentence: when a pilot is
8 ordered for a ship he must go and meet the master and
9 discuss conditions with him. What sort of conditions?

10 A. Safety conditions; weather conditions;
11 draught conditions. According to the time of departure
12 there are several factors which have to be taken into
13 account.

14 Q. To go on with the Article: If the ship is
15 delayed for safety reasons the pilot must remain assigned
16 to that ship. What does that mean; assigned to that ship?

17 A. It means that the ship which has been allo-
18 cated to him - the pilot must keep that after talking with
19 the captain and making arrangements.

20 Q. Article 12: When a pilot is called for his
21 rest period he must be taken off the turn at 6 o'clock in
22 the morning of the day scheduled for that rest period.
23 Will you please explain?

24 A. After consultation between the pilot corpora-
25 tions we have granted rest periods for the pilots. That is
26 to say every two or three days the pilots might stay home.

27 THE CHAIRMAN: Two or three days per month?

28 THE WITNESS: Sometimes it is more than a month,
29 because a little more than a month - because there are 69
30 pilots, but they all have their three days and later in the



1 FRENCH

5618

2 summer they have, I think, five days.

3 THE CHAIRMAN: This is what another witness
4 called the holidays?

5 THE WITNESS: It is the same period, yes.

6 Q. Do these rules concerning the calculation
7 of the days of rest - are there rules to establish that?

8 A. Yes, there is a list giving each day the
9 pilot has his rest, and this is calculated before the
10 opening of the navigation season, and I have a copy of it
11 at the office.

12 Q. Would you be willing to bring a copy?

13 A. Yes; for this year.

14 THE CHAIRMAN: Are you going to bring that this
15 afternoon?

16 THE WITNESS: Yes, I will go to the office and
17 get them.

18 Q. I think Mr. Lalonde has one copy of it?

19 A. Yes, that is it.

20 MR. JACQUES: I should like to file this docu-
21 ment as an exhibit.

22

23 --- EXHIBIT NO. 569: Roster for rest periods for naviga-
24 tion season, 1963, Section Quebec-
25 Three Rivers, and Section Three
26 Rivers-Montreal.

26 Q. Do you have Three Rivers-Montreal?

27 A. Yes, I have Three Rivers-Montreal at the
28 office, I am sure.

29 MR. JACQUES: We will have it this afternoon, my
30



1 lord, and we will file them in a bundle.

2 Q. Now, this document's first page is divided
3 into spaces, which contain several dates, and several
4 names. Will you please explain the first of these spaces?

5 A. After opening of navigation all the pilots
6 are on duty, of course. For four, five and six May these
7 three pilots are on rest. So the first space indicates the
8 date of the three days holidays for the pilots whose names
9 are on this space.

10 THE CHAIRMAN: Could you please show me the form,
11 and also pass it to the other counsel present?

12 Q. This document, Exhibit 569, for Quebec-
13 Three Rivers; does that cover all the navigation season?

14 A. Yes. For that section it covers the whole
15 season.

16 Q. I think Article 13 needs no explanation.
17 That is how you figure a day's rest.

18 THE CHAIRMAN: Could you please read Section 13?

2 19 MR. JACQUES: The rest period shall start at 10
20 o'clock in the morning of the day scheduled, and will
21 terminate at 10 o'clock in the morning of the day when
22 returning to duty.

23 Q. Referring to Exhibit No. 569, in the first
24 space, Mr. Claude Naud shall take his rest period 4, 5 and
25 6 May. That is to say by reading Rule 13, his rest period
26 shall start at 10 o'clock in the morning on the 4th?

27 A. Yes.

28 Q. And shall end?

29 A. At 10 o'clock of the day he goes back to
30 service. That is to say, the 7th. Ten o'clock on the 7th



1 FRENCH

2 in the morning. So he will have three complete days from
3 10 o'clock in the morning of the 4th till 10 o'clock in
4 the morning on the 7th.

5 To give a little more explanation, it might
6 happen he should be taken off the turn at 6 o'clock in
7 the morning. That is what it says in Article 12. This is
8 to avoid a pilot being there for the rest period starting
9 at 10 o'clock. Now, if this was ordered at 2 or 3 o'clock
10 in the morning he has to take a ship, and instead of
11 starting his period at 10 o'clock in the morning he starts
12 it much later in the day. He has to conclude his trip
13 before taking his rest period. That is why Article 12
14 says that at 6 o'clock in the morning he is taken off the
15 turn.

16 Q. So you don't send him on a trip after 6
17 o'clock in the morning?

18 A. No, but if he takes a trip before 6 o'clock
19 in the morning that might go on much later in the day.

20 Q. So when he starts at 10 o'clock in the
21 morning on the first day he is on duty, what place does he
22 have on the turn?

23 A. At 10 o'clock his name is put at the bottom
24 of the list. He is allocated a certain number of trips -
25 I think three trips. Anyway, the number which is required,
26 and there is an adjustment which is done at 10 o'clock.

27 Q. Article 14: Any pilot who has to anchor at
28 Longue Pointe for a short lapse of time should give the
29 appropriate signals to Cap St. Michel to give time to send
30 a harbour pilot.



1 FRENCH

2 Will you please explain?

3 A. A ship going up the St. Lawrence obtains
4 from his agents instructions concerning docking, and it
5 happens that at the last moment the agents for any given
6 reason by communicating with the harbourmaster might receive
7 orders to anchor at Longue Pointe before going to dock,
8 because the dock might still be occupied, so the harbour-
9 master gives him an anchorage at Longue Pointe. So, for
10 these changes in orders at the last moment, as you can't
11 communicate with the office, there has been an agreement
12 made between Cap St. Michel and the pilots that when they go
13 by Cap St. Michel the pilots must make the appropriate
14 signals so that these will be transmitted to us.

15 Q. So the Signals Service in Cap St. Michel
16 transmits the information?

17 A. Yes.

18 Q. Immediately saying such-and-such a ship has
19 made a signal indicating that he is going to anchorage at
20 Longue Pointe, and that he needs a harbour pilot?

21 A. That is exactly it, and even if it is for a
22 short lapse of time, even for only half-an-hour, we send a
23 pilot, and the harbour pilot goes on board, and the river
24 pilot disembarks.

25 Q. If the ship has to anchor at Longue Pointe
26 for a long period of time?

27 A. Well, in that case the river pilot disembarks
28 and the agent makes another order for the time when he wants
29 the pilot on board.

30 Q. Now, in such a case, when a ship is going



1 FRENCH

2 upstream and is anchoring at Longue Pointe, who, from the
3 ship, has to go and get the pilot?

4 A. Well, when you are anchoring at Longue
5 Pointe there is a system of signals between ship and launch,
6 and if he makes signals to the launch for the pilot to
7 disembark, well, the pilot does.

8 Q. Article 15: Re-establishment of the list.
9 The list of turns should be made without consideration of
10 class according to the time of arrival and the number of
11 turns.

12 Since you have explained how the whole list has
13 been made, I will read these articles.

14 Article 16: Any pilot from the Quebec-Three
15 Rivers section and the Montreal-Three Rivers section
16 arriving at the office before 2400 hours shall have his
17 turn adjusted the next day at 10 o'clock. If the pilot
18 arrives after 2400 hours his name will be inscribed on the
19 list and shall be adjusted only the next day. No pilot
20 can refuse to leave after 10 o'clock.

21 So, in the adjustment of turns, which happens
22 every morning, if the pilot arrives after midnight his
23 name stays at the bottom of the list, and if he arrives
24 before midnight the adjustment is done?

25 A. Yes.

26 Q. If several pilots arrive after midnight do
27 you leave all the names at the bottom of the list in the
28 same order as they were?

29 A. No, in sequence of arrival.

30 Q. Article 17: If a pilot is ordered at the



1 time the list is adjusted this pilot shall be ordered
2 according to the old list, and the second on the old list
3 shall become the first in turn.

4 Article 18: When disembarking the pilot must
5 report, giving the hour of arrival, and mentioning also
6 the number of turns on the reverse of the form on the
7 detachable part. (Disembarking means the end of the work)

8 I am showing you a card. Is this the form
9 mentioned in Article 18?

10 A. This is the detachable part.

11 MR. JACQUES: This was filed in Exhibit No. 556.

12 THE WITNESS: This part holds carbons, and this
13 is the part that has to be detached.

14 MR. JACQUES: I should like to add to Exhibit No.
15 556 a copy of the form, because Exhibit 556 doesn't have
16 all the copies attached to the card, but only the last
17 copy, which is the card itself.

18 Q. Would you like to inscribe detachable part
19 on the detachable part? Please indicate which is the
20 detachable part.

21 (The witness complies)

22 MR. JACQUES: Where you have written detachable
23 part, that is where the pilot inscribes the number of turns.

24 I would like to add this document to Exhibit No.
25 556.

26 Article 19: When many pilots arrive at the same
27 hour they will be put on the turn list according to the
28 hour of their reporting.

29 Article 20: Whenever a pilot is transferred from
30 one station to another he shall be adjusted when a new



1 FRENCH

2 list is prepared. When a pilot is transferred from one
3 station to another he will be placed after the pilots
4 whose names have been adjusted. If there are no other
5 pilots adjusted he will be put as the second name on the
6 list.

7 Q. I think that this requires explanation. When
8 a pilot is transferred from his station his name will be
9 adjusted when a new list is made?

10 A. Well, if an office or a station asks for a
11 transfer of pilots; let us say, that the five pilots are
12 rested, there is an indication on the list which indicates
13 the end of the rested pilots, and we may have ten, for
14 example, who arrive after the list has been adjusted, and
15 as the rested pilots are only five, and we need ten, the
16 office asks for the transfer of five pilots.

17 Q. What do these five pilots do?

18 A. Well, according to the order of the list of
19 the office from which they come.

20 Q. So they are inserted in the list of the
21 station to which they report for duty?

22 A. Yes.

23 Q. When a pilot is transferred from one station
24 to another his name shall be adjusted below the list of
25 those pilots whose names have been adjusted.

26 I get back to the first sentence: his name shall
27 not be adjusted when the new list is prepared.

28 A. Well, let's say, for example, that the
29 transfer was done early in the morning, and that the new
30 list of turns was made at 10 o'clock. If the pilots have



1 FRENCH

2 been transferred from Montreal to Three Rivers, and if they
3 are at Three Rivers at the end of the turn, then they are
4 first on the list, because they have not been transferred.

5 Q. Let us say that you had five pilots with
6 ten hours' rest, and others who had not had their rest
7 period. You need ten pilots, so you call five from Three
8 Rivers. If those pilots get there before 10 in the morning
9 then their name is not adjusted?

10 A. They are inserted after the five rested
11 pilots.

3 12 Q. But at 10 o'clock you adjust your turns?

13 A. Well, if there was a necessity for transfer,
14 well, they keep their turn. It is just because they were
15 needed, but their names stay on the list, and those that
16 follow have their names adjusted.

17 Q. All those who precede??

18 A. They have less turns than the others. That
19 is why their names are on top of the list there. As they
20 leave their station the first five have their turn, and
21 the five who come by bus or train are next, and the adjust-
22 ment, or the new list, is done afterwards, but the five who
23 transfer from the other station will remain exactly at the
24 same position they had at their former station.

25 Q. And then you adjust the names of those who
26 follow?

27 A. Yes.

28 Q. The last sentence of that Article: If there
29 are no pilots whose names are adjusted on this list they
30 shall be placed second in turn.



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1 FRENCH

2 A. It happens often that all our rested pilots
3 are gone, and as we always need one pilot on duty at the
4 station we notify one who might only have had five or six
5 hours of rest.

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1 FRENCH:

2 Q. Article 21:

3 " When a pilot comes back on the list of
4 turns after having been absent for any reason,
5 he will be placed at the bottom of the list
6 and will balance according to the by-laws."

7 Article 22:

8 " Starting December 1st, including April
9 8th, the first in turn on the list will not
10 be displaced. All the pilots who will be
11 transferred by train will be balanced."

12 This brings me to ask a question concerning
13 the use of two pilots starting December 1st, between
14 December 1st, and April 8th, inclusive of the operating
15 year; is that true?

16 A. Yes. This is in the by-law.

17 THE CHAIRMAN: When you are talking about two
18 pilots, what type of pilots are you talking about?

19 MR. JACQUES: River pilots.

20 THE CHAIRMAN: This does not include the
21 harbour pilots or the Seaway pilots because the Seaway is
22 closed then?

23 MR. JACQUES: No. All these regulations as
24 exhibit 565 apply only to the river pilots.

25 Q. So, starting December 1st, until April
26 8th, inclusive, two pilots are sent on board each vessel
27 travelling on the river?

28 A. Yes.

29 Q. Can you please explain to me how this
30 works?



1 FRENCH: A

2 A. Starting December 1st, as indicated in
3 this by-law, the first four in turn --- well, naturally,
4 we will cover two boats because we send two pilots per
5 ship. Naturally, there are less upstream ships and more
6 downstream ships. Well, we get the greatest number of
7 pilots in Montreal and Three Rivers. We leave a few and
8 the first four on the list are not displaced. That is
9 to say that we always keep a reserve for two ships. It
10 may happen at times that Three Rivers may have asked for
11 pilots and suddenly there are more vessels going up-
12 stream and we are forced to make a transfer of pilots.
13 But the first four are not displaced. We send the fifth,
14 sixth, seventh or eighth from Montreal to Three Rivers.
15 Three Rivers keep a certain number of pilots for the
16 upstream traffic.

17 Q. So those four pilots in turn do not
18 balance?

19 A. Yes, they do, the next day because it is
20 important to us to keep four pilots.

21 Q. In Three Rivers or Montreal?

22 A. Three Rivers and Montreal. Unless there
23 is an extreme case in Three Rivers, for example, that we
24 say you have more upstream and then we will replace them
25 by downstream, and so forth.

26 Q. Do you prepare new lists of turns and
27 balancing using the same system in the summer season?

28 A. Yes. But instead of keeping only one
29 pilot in turn we keep four.

30 Q. What does that mean: "All pilots will



1 FRENCH:

2 be transferred by car or by train ---"?

3 A. All pilots who are transferred from a
4 station, starting on December 1st, there is far more
5 downstream traffic then and pilots coming back from Three
6 Rivers, in order to take more downstream traffic ---
7 because there are only very few upstream vessels --- so
8 all those who are transferred by train, they won't
9 balance.

10 Q. I am sorry. I do not understand. Can
11 you please explain that, giving me an example?

12 A. We have pilots of Class A, B and C who
13 are in Three Rivers. Let us say that when the weather
14 is nice enough, they get there and finally we have another
15 thirty-five pilots in Three Rivers, so thirty get back
16 to Montreal. All the pilots will be transferred by train
17 and will balance. Immediately they are put in turn,
18 according to the number of turns because a departure takes
19 place in the morning. So we do a balancing in order to
20 put them in turn immediately.

21 Q. So you balance them as they get there,
22 instead of in the morning?

23 A. They are put on the list according to
24 their hour of arrival in Three Rivers and the next morning
25 at ten o'clock we balance once more. This distinction
26 is made with a pilot transferred by train, because there
27 are some who get there by boat as well.

28 Q. What happens to them?

29 A. They put their name on the list as well
30 but they go on duty the next morning at ten o'clock with



1 FRENCH:

2 general balancing.

3 Q. The next article, number 23:

4 " Cancellation: When many pilots are
5 ordered and a ship manoeuvring changes its
6 orders and no longer requires a pilot, the
7 last pilot ordered will become the second
8 in turn."

9 So what happens to the first pilot?

10 A. He keeps his turn.

11 Q. He remains first in turn?

12 A. Yes. And the one who is asked to go
13 on the ship and whose services are cancelled, well, when
14 he comes back his name is placed second.

15 Q. Article 24:

16 " In case of cancellation of a departure,
17 when returning home or to the office, the
18 pilot shall be placed second in turn and will
19 remain at this place when taking into account
20 the adjustment of turns when the lists are
21 revised and the pilot must present a cancella-
22 tion card."

23 Can you explain what a cancellation card is?

24 A. It is exactly the same card that you
25 have before you. It is exactly the same card, the
26 pilotage card. On here, under the title "Cancellation",
27 the pilot makes a mark and fills the card in as usual
28 and this indicates to us that this is a cancellation.

29 Q. Article 25:

30 " In the case of cancellation of departure



1 FRENCH

2 in an intermediate port, when coming back
3 home or to the office, the pilot shall be
4 placed at the bottom of the list to be ad-
5 justed the next morning at the regular time,
6 according to the number of turns he has."

7 Is a cancellation equivalent to a turn?

8 A. No, It does not count as a turn.

9 Q. Article 26:

10 " A pilot to whom certain turns are
11 allotted, either for meetings on a committee
12 or for a period of rest given to all members
13 in accordance with the by-laws of the
14 Corporation, should take them as those turns
15 are allotted so that the pilot may take
16 those turns at the station of his home;
17 moreover, after a number of absences, the
18 pilot will be put back in turn at the station
19 of his home town."

20 Can you explain that paragraph?

21 A. A pilot, for any given absence, after
22 he had received due authorization for the committee, for
23 meetings of the committees might stay for one or two days
24 or for a period of hours allotted to all members which
25 are rest periods, in accordance with the by-laws of the
26 Corporation. Well, this pilot should take them as these
27 are allotted to him. He cannot accumulate them and say,
28 for example, "I will take this rest period next week."
29 So his average must be made immediately.

30 THE CHAIRMAN: I understand that if he did not



1 FRENCH:

2 take them immediately it would mean that his number of
3 turns would be inferior and it would mean that when you
4 would make the list many days later, he would always be
5 second in turn?

6 THE WITNESS: That is correct.

7 THE CHAIRMAN: And when he takes his credits
8 the next week, he will be three or four turns above the
9 others?

10 THE WITNESS: Yes.

11 THE CHAIRMAN: And then he would no longer be
12 equal, so he would be put at the end of the list for
13 many days, which would give him an additional leave of
14 absence? We are starting to understand.

15 Q. Why in his home town?

16 A. If it gives him a turn in advance or two
17 turns in advance, in stead of waiting outside his home
18 town in another town, at least he will be at his own home
19 for that while. If he lives near Three Rivers, he may
20 wait at Three Rivers or in Montreal if he lives there.

21 Q. So is there a difference for the home
22 towns of Three Rivers or those of Montreal and those of
23 Quebec?

24 A. In Three Rivers there are certain pilots
25 who live in Batiscan and in Yamachiche and Sorel. There
26 are some in Lanoraie and so forth. Those would be
27 concerned with Montreal, although the pilot may have
28 a summer residence in Three Rivers and still say, "I will
29 wait in Three Rivers, in stead of Montreal." So, the
30 choice is left to his discretion.



1 FRENCH:

2 Q. Are there any troubles at times on
3 account of that?

4 A. No, never.

5 Q. Article 27:

6 " The number of two turns will be allocated
7 to the pilots for the first and third periods
8 of rest, three turns for the second and he will
9 be placed at the bottom of the list on his
10 return."

11 The next title is "Absences". Article 28:

12 " Any pilot who is absent should not be
13 put in turn before twenty-four hours have
14 lapsed starting at the beginning of his ab-
15 sence and will be considered as a pilot
16 arriving on a vessel or a ship."

17 A. That is to say that a pilot who is in
18 turn, who is called and who doesn't feel fine or for a
19 very serious reason he asks for authorization of leave,
20 this permission is given to him by advising the office
21 that pilot "X" is absent and his period of twenty-four
22 hours starts then, and he cannot be put back any turns.
23 So let us say that a pilot is sick and we call him in
24 the morning and he said "I did not feel very well last
25 night; I did not sleep well", and so forth. Well, let
26 us say that this is at seven o'clock in the morning. At
27 eight o'clock or nine o'clock at night he will say:
28 "I have had a rest today and I can leave. So, his twenty-
29 four hour period ends the next morning at seven o'clock
30 and his name is put on the bottom of the list.



1 FRENCH: Q.

2 Q. Does he have a ten-hour rest period that
3 day?

4 A. Naturally, there is no question of a
5 rest period. It is for the balancing of turns. His name
6 is put at the bottom of the list.

7 Q. Article 29:

8 " Any pilot who is absent for illness or
9 who has a sick leave, with the exception of
10 the two first non-consecutive twenty-four
11 hours, must give a medical certificate which
12 must be given to the supervisor."

13 Can you explain what is meant here?

14 A. A certain pilot may have a certain
15 propensity and say it is a day like today and "Well, I
16 do not feel too good." So, naturally, the article
17 stipulates that if the two first twenty-four hours which
18 are not consecutive --- that is --- for two different
19 days, in other words, that is what it means. This is
20 especially for the Corporation.

21 Q. So it means that the two non-consecutive
22 days of sickness, no medical certificates are requested?

23 A. Although I may ask for one, as I did
24 recently for a Cornwall pilot.

25 Q. According to what article do you ask
26 for a medical certificate?

27 A. For the Cornwall pilot, we must refer
28 to the Cornwall by-laws, although we can apply this one
29 as well.

30 Q. Now, I would like to refer you to the



1 FRENCH:

2 general by-laws of the Montreal District, to Article 17,
3 subparagraphs 1, 2 and 3 and especially subparagraph 2
4 and 3. I am going to read the two subparagraphs:

5 " A pilot who through sickness or injury
6 is unable to perform his duties when called
7 upon shall so inform the Supervisor and may
8 be granted sick leave."

9 Article 17, subparagraph 3:

10 " Any pilot who through sickness is un-
11 able to perform his duties when called upon
12 shall inform the Supervisor of the fact and
13 shall, if the Supervisor deems it necessary,
14 supply a medical certificate from his own
15 physician. This proviso may require another
16 physician appointed by the Authority to
17 verify the statement made in his medical
18 certificate."

19 Now, does it ever happen that you ask for
20 these medical certificates?

21 A. Yes, often.

22 Q. Do you have them verified by another
23 medical authority?

24 A. No. But most of the time the attending
25 physician to a patient, I take it for granted that he
26 had to really take care of that patient. If the same
27 thing happened too often with the same pilot, and it was
28 becoming kind of a habit with him to take such sick
29 leaves, naturally I would certainly demand for him to
30 go to the Department of Health.



1 FRENCH:

2 Q. The next title is "Order of Departures:"

3 " A pilot will be ordered at the hour at
4 which the vessel will order a pilot. If he
5 makes all the necessary regulation signals,
6 a ship which is moving has priority over ship
7 departures in the harbour at the same hour.
8 The pilot will be ordered when the ship
9 passes Sorel, Batiscan or St. Jean. When the
10 ship is delayed and orders a pilot by radio
11 telephone or telegraph, this pilot will be
12 ordered an hour and a half before the E.T.A."
13 What does that mean, if he makes the necessary
14 signals?

15 A. Upstream, if it is below Quebec, for
16 example, they can send signals by radio telephone or
17 make an ordinary request to have a pilot in Quebec in
18 order to replace that in Quebec, Les Escoumains; and
19 once more upstream, a ship has priority for its depar-
20 ture from the harbour over other ships. If we have a
21 vessel at noon and there is a ship that is scheduled
22 to leave at noon, well, the one who is coming into the
23 harbour has priority. We will send a second pilot on
24 the ship.

25 Q. And the next:

26 " The pilot will be ordered when the ship
27 passes Sorel, Batiscan or St. Jean".

28 A. This is for our dispatching purposes
29 in the office. We need a specifically determined place.
30 We need sufficient notice.



1 FRENCH:

2 Q. When a ship passes at Sorel, you order
3 pilots from what sections?

4 A. Well, we signal his passage over the
5 Three Rivers relay.

6 Q. And in Batiscan?

7 A. For upstream, in Three Rivers, Montreal.

8 Q. And St. Jean?

9 A. Well, this is for the changeover of
10 pilots, to get a pilot at Quebec and Three Rivers in order
11 to change with a pilot.

12 Q. Article 31:

13 " At all times, with the exception of cases
14 of pilots already transferred from their
15 station, upon the request of the office if
16 there is an order for pilots sent by train,
17 all pilots should be ordered starting at the
18 second turn."

19 That is to say when you ask for pilots in
20 Three Rivers, they never send the one who is first on the
21 list of turns?

22 A. With the exception of pilots already
23 transferred from their station --- that is at Three Rivers
24 --- on the preceding day may have made a request for
25 pilots. So if there is a request for pilots from Montreal,
26 all pilots should be ordered after the second in turn,
27 with the exception of those already transferred.

28 Q. If the first in turn is a pilot who is
29 already been transferred, well, he comes back?

30 A. No, he does not come back, with the



1 FRENCH:

2 exception of pilots already transferred upon the request
3 of the office. At all times, with the exception of cases
4 of pilots already transferred, stations upon the request
5 of the office --- that is to say that all pilots already
6 transferred upon the request of the office, if there is
7 a request of pilots, any pilot should be ordered starting
8 at the second in turn. Well, we have pilots after those
9 already transferred, those who have paid for the trains
10 to come to Three Rivers.

11 Q. So you do not touch those who have been
12 transferred?

13 A. Unless there is an emergency. That is
14 all.

15 Q. Article 32:

16 " Whenever there are many orders for the
17 same time, the first pilot will take care of
18 the first order, and so forth, according to
19 the hour at which these orders have been re-
20 ceived at the pilotage office."

21 Article 33:

22 " When there are two requests for the same
23 hour, one for the vessel and the other one
24 for the train, the first in turn boards the
25 ship and the second one takes the train."

26 If at the same time you receive a request for
27 a vessel, the one from the Three Rivers station, the one
28 first in turn takes the vessel or boards the vessel and
29 the other one the train?

30 A. Yes.



1 FRENCH:

2 Q. Article 34:

3 " A pilot who has been called for standby
4 for a possible embarkation in the place of
5 another, will remain so ordered unless he
6 consents to give back his turn."

7 A. Sometimes the pilot has to leave and,
8 of course, having received due authorization and the
9 office knows about it, the one who requested permission
10 to be absent, well, his turn arrives and we take the next
11 one and tell him that he is the first in turn on standby
12 and he replaces the one who should have been the first
13 but he isn't back yet. So, the second one to him, we
14 have said that he was the first in turn. Even though
15 the first one who was absent comes back, the first who
16 is on standby will remain first unless he agrees entirely
17 to give back his turn to the other.

18 THE CHAIRMAN: I understand now the reason
19 that there is a kind of prejudice for the one who already
20 has received his standby. He has been waiting for half
21 an hour or two hours and naturally all this preparation
22 should not be made again unless he agreed to it.

23 Q. What type of absences do you have there?

24 A. Sometimes it was permission to be
25 absent during the afternoon, and so forth; although
26 sometimes he may have to go to Batiscan, and so forth.

27 Q. Article 35:

28 " A ship arriving before its scheduled
29 hour of arrival and the first pilot ordered
30 has not arrived yet at the station, in order



1 FRENCH:

2 not to delay the ship the first available
3 pilot ordered at the station will be embarked
4 and the others will not lose their turn."

5 Can you explain this by-law?

6 A. This is used particularly for Pointe
7 Des Ormes Station or Three Rivers. A ship might have
8 sent his E.T.A. for a given time and the E.T.A. is
9 computed by the pilot. It might happen that the time is
10 quicker than what could have been expected and the first
11 pilot ordered for the ship might have been delayed before
12 arriving at the station. So as to not delay the ship,
13 if there is a pilot at the station, well, he is put on
14 the ship so that the ship is not delayed.

15 Q. Whatever his place on the turn list?

16 A. We can take anyone and send him on the
17 ship because we do not want to delay the ships.

18 Q. What happens to the rest of the turns?

19 A. Since he has gone, he is taken from the
20 list and it does not change the others at all.

21 Q. Number 36:

22 " A pilot ordered who delays a ship by
23 his fault will be reported to the Supervisor."

24 Have you had cases which you can quote of
25 delays of ships due to pilots?

26 A. I have had one this morning.

27 Q. Can you please tell us about it?

28 A. This morning I had a report in the Three
29 Rivers Office that a pilot who had asked permission to be
30 absent had gone to the country with relatives and he was



1 informed to come back on time for his ship; but the ship
2 arrived quicker and the ship was delayed by five minutes.
3 So, on Monday I am going to call this pilot before me and
4 I am going to ask for an explanation and if the explana-
5 tions are not satisfactory, well, I will have to take
6 measures.

7 Q. Have you had other cases?

8 A. No. This does not happen very often.

9 Q. Is this the first case this year?

10 A. No. I had another case.

11 Q. Can you tell us about it?

12 A. It was a pilot who was in Three Rivers
13 and thinking that the ship would take more time, arrived
14 at the last minute and I think the ship was delayed for
15 a few minutes, five to ten minutes. He was just taking
16 it easy.

17 Q. Did you make an inquiry into this matter?

18 A. Yes.

19 Q. Did you take any sanctions?

20 A. No, because you have to know each pilot
21 and the habits of each one of them and their willingness
22 to work and in this case it was never too serious.

23 -

24 -

25 -

26 -

27 -

28 -

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1 FRENCH

2 Q. Last year did you have cases of delays due
3 to pilots?

4 A. There might have been, but I can't remember.

5 Q. Could you check briefly in your records,
6 and then we could take this question up again when we resume
7 here in September?

8 A. Yes.

9 Q. Article 37: The limits of time allocated to
10 go aboard a ship, or to take a train within the limits of
11 the Harbour of Quebec and Sillery shall be one-and-one-half
12 hours. For the south shore and for any other place west of
13 Sillery the Quebec pilots shall be allocated two hours.

14 Article 38: When a ship in the inner basin
15 requires a pilot for the opening of the gates the clerk on
16 duty must calculate that the gates will open two hours
17 before high tide.

18 THE CHAIRMAN: That is Louise Basin.

19 MR. JACQUES: He will allocate, therefore, three-
20 and-one-half hours to the pilot to go on board; except if
21 an agent or master specifies the time they want the pilot,
22 in which case the regulation time shall be applicable.

23 Article 39: For any departure from Three Rivers
24 Harbour, one-and-one-half hours shall be allocated for
25 ordering a pilot.

26 This one-and-a-half hours allocated for ordering
27 a pilot - who has determined that?

28 THE WITNESS: Well, according to the requirements
29 of the service. We have informed the pilot first in turn,
30 but there are always things to prepare, or sometimes he is



1 FRENCH

2 in bed, and has to get up and shave, and you have to take
3 the time for transportation. You can't expect a pilot to
4 be on board a ship in five minutes.

5 Q. Why not one-and-three-quarter hours?

6 A. It is because we think one-and-one-half
7 hours is reasonable. We receive the orders well in
8 advance, so if we have an order one day for the next day,
9 the day you receive the order you can't order the pilot,
10 because he has too many things to do in between, so one-
11 and-one-half hours before the time the pilot should be on
12 board, this is the time the pilot should start getting
13 ready. It used to be half-an-hour for the upper part of
14 the harbour and two hours for Longue Pointe, but even today,
15 as we are more centralized here, and the traffic of the
16 harbour is distributed all over the harbour, that is why
17 we have one-and-one-half hours.

18 Q. Article 40: When two ships arrive going up
19 or going down the first in turn shall take the first ship
20 and the first ship shall be the one which will be the first
21 at the station.

22 Q. That applies to Three Rivers?

23 A. Yes.

24 Q. Does that apply to Montreal?

25 A. No.

26 Q. The ships crossing Montreal to use the
27 Seaway?

28 A. There the pilot disembarks, or the pilot is
29 already on board. It doesn't apply to this case.

30 Q. What about Quebec? Article 41: When a ship



1 FRENCH

2 arrivés at Sorel the pilot must report to the signal
3 station; the Sorel office in turn must request by teletype
4 on the same line to Three Rivers and Montreal the destina-
5 tion which this said pilot must take according to the
6 requirements of the service. For one departure the Sorel
7 office shall ask on teletype to Three Rivers or Montreal
8 the pilot he needs and who will be sent to him according
9 to the requirements of the service.

10 Now, in discussing Sorel does it happen that a
11 pilot goes on board at Sorel and stays with the ship in
12 Sorel to go down the river?

13 A. Yes, that happens.

14 Q. Does it happen often?

15 A. Well, often - it depends on the number of
16 ships. Lately it doesn't happen very often, because there
17 is not much navigation in Sorel.

18 Q. Is this the rule for the ships going to
19 Sorel, that the pilot who takes the ship to Sorel stays in
20 Sorel, and will take the same ship again?

21 A. Well, if the ship is to stay more than 24
22 hours in Sorel the pilot has to report and ask to come
23 back. If he knows through the agent that the ship will be
24 less than 24 hours the pilot stays in Montreal and comes
25 back on the same ship.

26 Q. Does the same thing apply to Contrecoeur?

27 A. Yes.

28 Q. Are there any other places in your District
29 where the same law applies?

30 A. Varennes, Lanoraie, Contrecoeur, and Sorel.



1 FRENCH

2 That is about all.

3 THE CHAIRMAN: Do you consider that as detention,
4 the time the pilot stays on board waiting for the ship to
5 continue the trip?

6 THE WITNESS: No, my lord. The Sorel office is
7 considered as a pilotage office, and the pilot reports to
8 the Sorel office, and goes to the hotel, and the agent
9 tells him, "Your ship is ready, go back to the ship."

10 THE CHAIRMAN: And in such a case will the trip
11 to Montreal, to Quebec via Sorel, with a stop of 10, 15,
12 20 hours in Sorel, be considered as one pilotage trip, or
13 two pilotage trips?

14 THE WITNESS: It will be two pilotage trips.

15 Q. Are the expenses of the pilot for hotel and
16 board paid by the ship in any of these places?

17 A. No, the Montreal pilot pays all of his
18 expenses.

19 Q. Article 42: Limit of time for order in the
20 Harbour of Montreal. With the exception of Lachine Canal
21 (right away); west of Longue Pointe, one-and-one-half hours;
22 east of Longue Pointe, two hours. From the Seaway shall be
23 ordered at the time when a ship passes Cote Ste. Catherine
24 (Lock No. 2).

25 This is what you said a while ago, that the
26 notice given is of one-and-one-half hours in the harbour
27 and two hours for Seaway.

28 THE CHAIRMAN: I understand that for the Lachine
29 Canal you don't have that notice.

30 THE WITNESS: No, because the Lachine Canal is



1 FRENCH

2 divided into two parts now. A ship can't go from one end
3 to the other of the canal, so he goes to a basin upstream
4 of the No. 2 basin, and when he goes to that basin No. 2
5 he asks for a pilot for the Montreal Harbour.

6 THE CHAIRMAN: This applies only to the harbour
7 pilot?

8 THE WITNESS: It might also be a river pilot if
9 the ship is going downstream.

10 THE CHAIRMAN: Now, in such a case, when he is
11 asked immediately there might be delay?

12 THE WITNESS: Well, the pilot knows that because
13 they know it is a right away.

14 Q. Article 43: The electric clock in the office
15 is the only official time. I think this needs no comment.
16 Does it work?

17 A. Yes, it works very well. This has been put
18 in order to avoid any discussion, because a pilot might say,
19 "Well, I have five minutes different," because two minutes
20 difference might make a very great difference between
21 ordering a pilot for a good ship or a not so good ship.
22 So when a clerk has to give an order he is looking at the
23 clock for the right time.

24 THE CHAIRMAN: What is a good ship?

25

26 --- Short Recess

27

28 Q. Before examining each Article, would you
29 like to give us the principles which led to the production
30 of these regulations?



1 FRENCH

2 A. Concerning the change in turn, when a pilot
3 arrives on a station he is way down on the list, and he
4 lives at the other end of the section, and it is no advan-
5 tage having someone at the top of the list rather than
6 asking permission to go home. The difference between two
7 turns. He can ask the first one on the list to change
2 8 turns with him, which enables him to go home with still
9 two turns difference, and wait at home until he has the
10 same turns as the others. This enables him to stay home a
11 little longer, and this is why we try to have these rules,
12 so that the pilot can have a little longer at home.

13 I had a case this morning. There is a wedding
14 tomorrow - his brother - so he changed his turn, and when
15 he arrives at Three Rivers he is going farther down in
16 turn, so he gets to the bottom of the list, and that gives
17 him the chance to be at his brother's wedding without
18 having any detention.

19 Q. I think we should congratulate Mr. Bedard,
20 who is today the father of a fourth daughter.

21 Article 44: Any change in turn must be made only
22 on the agreement of the two pilots concerned, and on the
23 condition that they should have ten hours rest, and that
24 they advise the office in consequence thereof, and changes
25 can be made only between pilots of the same class. Changes
26 can also be made from one station to another. However,
27 from January 1st to April 1st, exclusive, each year,
28 changes in turn can be made between pilots of any class.

29 What does the condition that they have ten hours
30 of rest mean? Does this apply to both pilots?



1 FRENCH

2 A. This applies to the two pilots who want to
3 change turn. They must have ten hours rest before they
4 can change, but normally a change is made for a pilot who
5 wants to get to the top of the list so that he can leave
6 sooner, so that the one at the bottom of the list must
7 have ten hours rest before changing turn, because other-
8 wise he gets to the top of the list and may be called
9 without having ten hours rest, and leaves therefore without
10 having his rest. So we see that each pilot gets his ten
11 hours rest when it is feasible.

12 Q. Do you say it is feasible that a pilot can
13 change his turn without having ten hours rest?

14 A. No. We don't allow that.

15 Q. Why are the changes only allowed between
16 pilots of the same class?

17 A. Well, if at the top of the list you have a
18 pilot C-1 or C-2, and a pilot in Class B or A is at the
19 bottom of the list, or vice versa, have the Class A pilot
20 at the top and the Class C pilot at the bottom of the list,
21 if you allowed them to change, a ship arriving might be a
22 Class C. Supposing it is a Class B ship arriving, and the
23 pilot first on the list is a Class C, so we have to go
24 down on the list to look for a Class B, and this sort of
25 mixes up the list. So if we change the turns between
26 pilots of the same class it doesn't disturb the rest of the
27 list.

28 If you let a Class C pilot go to the top of the
29 list, the Class B who is second on the list would become
30 the first one on the list.



1 FRENCH

2 Q. This rule doesn't apply between the 1st of
3 January and the 30th of April?

4 A. Because navigation is not very heavy, so we
5 can make a choice among the pilots available.

6 Q. Now, about the winter season; during the
7 winter can all pilots be called?

8 A. During the winter normally all pilots can be
9 called, but last winter the Corporation asked me, and I
10 accepted this request. You know, there are several of them
11 who like to travel during the wintertime, so from the 1st
12 of January to the 15th of February, the group of pilots
13 from Montreal, Quebec, and Quebec-Three Rivers, is divided,
14 so half of them take their holidays from the 1st of January
15 to the 15th of February, and are free for one-and-a-half
16 months, and they can't be called, and they can do anything
17 they want, and travel, and see the country.

18 The same group comes back from the 15th of February
19 to the 1st of April, when the second group will be on
20 holiday.

21 Q. Who establishes these two groups?

22 A. The Corporation who presents the names, and
23 I approve. This is the first year that this has been done,
24 this winter.

25 Q. Article 45: A margin of two turns shall be
26 allocated for change of turn from January 1st to November
27 30th inclusive. Starting at December 1st to January 1st,
28 exclusively, one pilot only shall be allocated.

29 Why do you allocate the change of turns?

30 A. They can change turns with one turn or two



1 FRENCH

2 turns, but as navigation is quite heavy, there were 35
3 going up and 33 going down for the same day yesterday, so
4 two change turns for one turn; well, the pilot is too
5 close to the top of the list, so the one who has two turns
6 wants to go to the top of the list, and we allow that,
7 because the navigation is heavy enough, and the pilot can
8 take his place again to reach the average once more.

9 Only one turn between the 1st of December and
10 the 1st of January, to avoid that it is always the same on
11 the ships when the others could benefit from this.

12 Q. So you have to have a minimum difference of
13 two turns, not more than two turns, to allow for a change
14 in turn?

15 A. Not more than two turns.

16 Q. Article 46: In any change of turn the two
17 pilots concerned take each other's place. If the one who
18 has changed to leave has not left, or is not yet first in
19 turn when the list is adjusted, the change in turn shall
20 be cancelled.

21 A. Yes, two pilots changing turn, and, of
22 course, any change in turn should not be interfered with
23 by the despatching clerk, but if the pilots want to change
24 they call the despatching clerk. So the one at the bottom
25 of the list changes with another one who is seventh or
26 eighth on the list.

27 From position 25 he goes to position 7 or 8, so
28 when we revise the list at 10 o'clock the one who was at
29 the bottom of the list came ahead, and if he has not left,
30 or is not yet at the top of the list when the list is



1 FRENCH

2 revised, the change then is cancelled. It means they take
3 their own turn again, as if there were no change. Q. So the
4 25th who changed with the 7th becomes 25th again, and the
5 7th, who became 25th, also becomes 7th again?

6 A. That is right?

7 THE CHAIRMAN: In other words, if he had known
8 the traffic he would not have asked for a change?

9 THE WITNESS: Yes.

10 THE CHAIRMAN: But as you don't know it is just
11 something that happens.

12 Q. In any change of turn the two pilots take
13 each other's turn. What is the reason for that?

14 A. Well, it is to advance ---

15 Q. Could this sentence mean another thing?

16 A. That means the 25th goes to the 7th place,
17 and the 7th goes to the 25th place.

18 Q. Article 47: When a pilot is at the bottom
19 of the list when it is not adjusted and he changes place
20 with a pilot who is high in turn, and who adjusts at the
21 first revision, the one who is at the bottom of the list
22 must adjust with the turn of the one who is high on the
23 list.

24 THE CHAIRMAN: I think this could be studied if
25 you dwelt on it a long time.

26 Q. Article 48: When the pilot at the top of
27 the turn changes with someone who is lower in turn to go
28 down when the revision of the turn is made, the one who is
29 at the top shall be placed on his turn with the hour of
30 arrival of the one with whom he changed turn.



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2 A. This is very simple when we make it.

3 Q. Could you give examples for Articles 47 and
4 48?

5 A. If I had the turn lists I could indicate how
6 this works.

7 MR. JACQUES: May I have, please, the turn list
8 which has been filed as an exhibit?

9 THE CHAIRMAN: Exhibit No. 551.

10 Q. I am showing you Exhibit No. 551. Does this
11 document help you for your example?

12 A. You were talking about?

13 Q. Let us say Article 47.

14 A. Here is an example of a low in turn.

15 Q. Will you please say his name and underline
16 the name in red pencil?

17 (The witness complies)

18 A. Louis Devilliers, 49 turns. This means that
19 he arrived after midnight.

20 Q. Will you circle this sign which looks like
21 a triangle?

22 (The witness complies)

23 A. That indicates the end of the list, or the
24 pilots arriving at 10 o'clock, and those who arrive at
25 midnight. Those whose names appear here at the bottom of
26 the symbol which is circled in red indicates midnight, and
27 the pilots arrive after midnight. Devilliers changed his
28 turn with R. Stephenson.

29 Q. Will you underline Stephenson on Exhibit
30 No. 551?



1 FRENCH

2 (The witness complies)

3 Q. These two names are connected by an arrow.

4 A. He is a low in turn who has changed with
5 someone higher in turn.

6 Q. So Mr Devilliers has changed with Mr.
7 Stephenson, although he had one turn less?

8 THE CHAIRMAN: What was Mr. Stephenson's turn?

9 THE WITNESS: 50. So, to leave earlier, he
10 changes with Mr. Stephenson, hoping that Mr. Stephenson
11 will be called during the day, and he himself after the
12 ten hours rest period. That is why a change like that is
13 allowed.

14 Q. Now, Rule 47; let's read it again: When a
15 low in turn, in this case Mr. Devilliers, he is adjusted,
16 because he arrives after midnight, changes with a high in
17 turn, who is adjusted, in this case Mr. Stephenson, because
18 he arrived before midnight, the low in turn must be
19 adjusted with the turn of the one at the top of the list?

20 A. When we have called Mr. Stephenson we have
21 followed the arrow, and we have taken Mr. Devilliers in
22 his place.

23 Q. And if Mr. Devilliers had not been called
24 before 10 o'clock, then Article 46 is applicable?

25 A. It is the one who has changed to leave, and
26 has not yet, or is not yet, first on the list. The change
27 of turn has to be cancelled, so if nobody had left, the
28 change would be cancelled. Devilliers would remain at
29 49, and Stephenson at 50.

30 Q. I understand what you say, but I don't



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2 understand the words the lower one must be adjusted
3 with the turns of the high one. Adjusted to what?

4 A. If the list is revised - supposing there is
5 a period of non-departure, and yet it could go up till 10
6 o'clock next morning ---

7 Q. Without calling Stephenson?

8 A. Supposing there is a shortage of departures;
9 the next morning at 10 o'clock, when the clerk revises the
10 list, when he arrives at Stephenson he puts Devilliers in
11 his place, and Devilliers goes in Stephenson's place. No,
12 I am sorry, I made a mistake.

13 THE CHAIRMAN: I read Article 49, which says:
14 To advance a pilot who is low in turn there must not be
15 interference with the margin of turns. I think this
16 explains the two preceding Articles. It is another case,
17 but what you are trying to do is not to make the difference
18 in turn more serious, so there is any problem with the one
19 who wants to advance when he is low in turn, because it
20 decreases his margin, but the problem arises when it is
21 somebody who is high in turns, and who is still gaining,
22 and the margin with the others is going to be even bigger.

23 This is what you are trying to remedy through
24 these words, which are rather difficult to understand?

25 THE WITNESS: As I mentioned a while ago, if
26 nobody left till the next day, Louis Devilliers would go
27 back to place 49, and Stephenson would go back to place 50,
28 and the change would be cancelled.

29 Q. Article 48: When a pilot high in turn
30 changes with a pilot lower in turn than himself to go back



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2 at the revision of the turn the higher in turn shall be
3 placed in turn with the time of arrival with the one with
4 whom he has changed turn.

5 This is the example you have in Exhibit No. 551?

6 A. A high in turn with a low in turn. To go
7 backwards on the adjustment of turns, the higher in turn
8 shall be placed at the time of arrival with that with whom
9 he has changed turns.

10 Q. I think that in this case Mr. Stephenson,
11 who wants to go down in the list, has done it by changing
12 with Mr. Devilliers, who arrived after midnight, and he is
13 going to be placed at the same place as he would be placed
14 at his time of arrival.

15 Article 49: To advance a pilot who is low in turn
16 one must not take into consideration the margin of turns.

17 A. This is only the case when a pilot has had
18 work which has delayed him on the river, and sometimes he
19 is three or four times lower than the average. By arriving
20 at his ten hours rest he can change even if he has four
21 turns difference, even if he is lowest, so as long as he
22 has had ten hours rest, and he has four or five turns
23 difference, he can change to make up for this.

24 Q. The next Article, No. 50: When a pilot
25 misses his turn his turn must not be changed for any
26 reason whatsoever, but his name should be struck off the
27 list, and his case referred to the Supervisor.

28 Will you please explain the principles which are
29 the basis of Articles 51, 52 and 53?

30 A. It might happen that a pilot, for some



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2 reason or other, might not be there to take his turn, and
3 the regulations which follow are what have to be followed
4 in such cases.

5 THE CHAIRMAN: What you are trying to do when a
6 pilot misses his turn, to be fair to everybody, would you
7 try to tell us what you want to do?

8 THE WITNESS: Well, in the first place, to see
9 there is a mistake on the part of the pilot, and then for
10 him to go back on his turns and not cause any prejudice
11 to the other pilots.

12 Q. Article 50: When a pilot misses his turn he
13 should not be changed in turn for any consideration what-
14 soever, but his name must be taken from the list and his
15 case referred to the Supervisor.

16 So this Article says that the pilot who misses
17 his turn can't be changed in turns?

18 A. Well, if a pilot is asked for his turn, and
19 he is not there as normal, he should take up his turn. It
20 might happen that sometimes on the list there is one who
21 goes there and says, "Well, I am his friend, I am going to
22 take his turn," and since the pilot isn't there and his
23 turn is refused, he is taken off the list.

24 Q. Article 51: In the case of a pilot who
25 misses his turn when it is not his fault he shall be
26 placed second in place when he arrives at his station.

27 Who establishes if a pilot has missed a turn
28 through his fault or not?

29 A. If a pilot is late and misses his turn, and
30 if the explanations are satisfactory.



1 FRENCH

2 Q. Article 52: A pilot who is advised that he
3 is to be ordered in a short time, and he can't be found at
4 the time the office orders shall be taken from his turn and
5 reported to the Supervisor, and shall be put back on the
6 turns only by the Supervisor of the station where he has
7 lost his turn.

8 This does not require an explanation. It is up
9 to you to decide when he takes his turn back.

10 Article 53: When a pilot is transferred from one
11 station to another and doesn't report within one hour after
12 arrival at the other station he shall be taken off the
13 turn list and reported to the Supervisor.

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1 FRENCH

2 Q. So in this case when he reports to you,
3 what do you do?

4 A. I have to ask for an inspection, but it
5 happens very seldom.

6 Q. Now we go to moveages. What is the object
7 of these articles?

8 A. It is to regulate the coming and going of
9 pilots -- a pilot going for moveages in intermediate ports
10 and even Three Rivers. It is just to regulate the case
11 of moveages.

12 THE CHAIRMAN: Do the pilots prefer doing
13 moveages?

14 THE WITNESS: You mean river pilots.

15 THE CHAIRMAN: Yes.

16 THE WITNESS: I think they like to do that.

17 THE CHAIRMAN: So would there be a tendency to
18 want to do it in preference to the others?

19 THE WITNESS: This is what is explained in the
20 regulations.

21 Q. Article 54: "In case of a pilot who is
22 occupied in a moveage...when returning from a moveage
23 shall be placed second in turn for pilotage and shall be
24 adjusted at the revision of the lists." Now when you get
25 an order for a moveage, what list do you take your pilots
26 from?

27 A. I think the regulations indicate on what
28 list they are taken from.

29 Q. Article 55: "When a moveage shall be made
30 for Three Rivers as follows: The pilots when they report



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2 upon arrival shall ask to be placed in turn for moveage;
3 when they are fifth for departure, they shall be taken of
4 the list of moveages. In case there is no one eligible
5 the fifth in turn for departure shall have to move."

6 A. This is a moveage list for Three Rivers'
7 pilots who want to move shall be put on a list. So we have
8 a special list of moveages. If nobody asks we take the
9 fifth one and order him.

10 THE CHAIRMAN: Is a moveage considered as a turn?

11 THE WITNESS: No. It is considered separately.

12 THE CHAIRMAN: Therefore a pilot who is doing
13 a moveage is behind in his regular turns?

14 THE WITNESS: Not necessarily because the move-
15 age is done by the pilots after the fifth in turn, so they
16 do not lose their turn.

17 THE CHAIRMAN: But he is going to have to do his
18 normal turn plus the moveage?

19 THE WITNESS: Yes.

20 THE CHAIRMAN: So he is doing more work than
21 another pilot?

22 THE WITNESS: Well, a moveage is additional
23 work.

24 Q. You take the fifth in turn and if there are
25 two or three moveages to be done consecutively, do you take
26 always the fifth in turn?

27 A. If the fifth due in turn has gone to a
28 moveage and if there are no changes in the list, we take
29 the sixth in turn and then the seventh.

30 THE CHAIRMAN: The reason for that is that the



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2 moveage does not take very long? It could take one or
3 two hours and it is considered as an incident which could
4 happen to all pilots any time during the year?

5 THE WITNESS: That is right, my lord.

6 Q. Article 55: "In cases of moveages in
7 Sorel, the last arriving at Montreal having ten hours rest
8 shall be ordered...with the privilege of changing the turn
9 in his class."

10 Now, Exhibit 551, can you illustrate this rule
11 and tell me the name of the pilot who will be called to do
12 a moveage in Sorel? Can you do that by using this exhibit?

13 A. If during the day July 2nd when this list
14 was made, if Sorel asked for a pilot we would have called
15 Charles-Henri Cote' who is the last one to arrive who has
16 had ten hours rest.

17 Q. This appears on the list because you take
18 the first name above the triangle which indicates the
19 arrivals since midnight.

20 A. But it is during the afternoon. It all
21 depends on the time of arrival of the pilots. It might
22 be someone who is higher. It depends at the time of the
23 moveage.

24 Q. This covers moveages in Three Rivers and
25 Sorel. Do you have any moveages in Contrecoeur?

26 A. Very very seldom we take one ship from
27 Contrecoeur and put him at anchor.

28 Q. What about Lanoraie?

29 A. No.

30 Q. Varennes?



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2 A. Well, the pilot is on board if there is
3 a moveage in Varennes the pilot is on board.

4 Q. Article 56: "In case of a moveage in an
5 intermediate port, upon his reporting him or to the office
6 the pilot shall be placed at the bottom of the list when
7 he reports and will be adjusted according to the regulations."
8 Intermediate port -- what is that?

9 A. That is mostly Sorel, Quebec Iron near
10 Sorel; maybe Contrecoeur if you put a ship at anchor.

11 Q. So the pilot will be put at the bottom of
12 the list. What list?

13 A. The assignment list which you had in your
14 hand a while ago.

15 Q. Exhibit No. 551. Article 58: "In inter-
16 mediate ports when there is a moveage of a class 'A' ship,
17 the first 'A' pilot who is not appointed shall be ordered
18 for the moveage with the privilege of changing turn with
19 a pilot in his class." Please explain this. On Exhibit
20 No. 551 Mr. Viau has a circle on the right in red around
21 a list of names of class "A" pilots who according to his
22 evidence had been appointed July 2nd, 1963?

23 A. According to this if it is a moveage for
24 a class "A" ship, the first "A" pilot who is not appointed--
25 so here on this list let us say there are three appointed
26 for ships coming in the next ten hours. So we take in
27 the fourth one and we are going to send him to do the
28 class "A" ship moveage because the first three are already
29 appointed for another ship.

30 Q. Article 59: "The time limit allowed for



1 FRENCH

2 a pilot to wait for a ship in intermediate ports is 24
3 hours." I think you have already explained this rule,
4 that it is if the pilot is in Sorel or Contrecoeur,
5 ecetera. Class "A" this is a new title. This is for the
6 section, Three Rivers-Quebec? Before studying the regulations
7 or the by-laws for pilots class "A" and "C" can you explain
8 briefly the history of this division into different classes?

9 A. Well, today pilots are divided into three
10 classes: Pilots of class "A" for all ships; class "B"
11 for all ships up to 7000 net tons; class "C", the first
12 year is one to two thousand tons, "C-2" up to 3000 tons
13 and "C-3" for up to 4000 tons.

14 Q. Can you briefly tell us the history of that
15 divisions, when it was created and why?

16 A. Well, before we had a special pilot
17 system and certain special pilots because of the different
18 lines they were serving which had more ships than the
19 pilots of the general assignment list and at times the
20 special pilot had also to be on the list of turns or the
21 assignment list which he left as soon as his ship from
22 his own line arrived. So, he would leave the list of
23 turns in order to Quebec, or if he was in Quebec, to come
24 back to Montreal in order to call for a ship which he had
25 been appointed as special pilot for. Now, in the end
26 there were a great number of them and that is why our lists
27 were sort of hard to keep and we had to supervise very
28 actively so as to see everything that went on to such an
29 extent that the pilots made some representations and
30 asked for changes and with Captain Matheson of the Shipping



1 FRENCH

2 Federation, they came to my office and we studied this
3 idea and we agreed to divide them by classes. That is
4 why we have some class pilots instead of special pilots.

5 Q. When did that change occur?

6 A. 1959.

7 MR. JACQUES: Later on, my lord, I am going
8 to study more elaborately this system but I thought it would
9 be a good idea to get a few brief explanations as we are
10 studying this subject matter of Article 60 and following.
11 Now, Article 60: "In Quebec the lowest of the class "A"
12 should be reserved for ships of that class as these
13 ships pass by Les Escoumains." This for a pilot who is
14 in Quebec?

15 A. Yes. That is on the Quebec list -- Quebec-
16 Three Rivers.

17 THE CHAIRMAN: Can you please tell us the lowest?

18 THE WITNESS: The lowest is the one who has the
19 least number of turns in class "A". We also get a list
20 of pilots and the number of turns in class "A".

21 THE CHAIRMAN: Then on Exhibit 551, I think on
22 the left-hand side next to a pilot class "A", you have
23 a figure which is circled, the number 27.. This means
24 that the pilot has reached 27 in class "A" and 50 in the
25 general assignment list?

26 THE WITNESS: That is correct.

27 Q. For reservation you start at the bottom of
28 the list and you come up as you go along. So, in Quebec
29 the lowest in class "A" would be reserved for ships of
30 that class as the ships that pass by Les Escoumains?



1 FRENCH

2 A. Naturally, the one who is at the bottom
3 of the list is the one who is first on the list.

4 Q. Article 61: "When many pilots are
5 appointed for class "A", the first pilot will board the
6 first ship that has ordered a pilot and when a ship of
7 class "A" make an order to leave from the harbour and
8 another moving ship is expected at the same time, the
9 general by-laws must be applied." What does that mean?

10 A. This means that the ship moving has the
11 priority.

12 Q. Article 62: "The lowest in turn of class
13 "A" shall be appointed for a ship of that class ten hours
14 before his departure, before his services are required for
15 the said ship." This was explained to us Mr. Viau?

16 A. Yes. Oftentimes, expecially for these
17 class "A" ships we receive orders in advance.

18 THE CHAIRMAN: And the reason for that is that
19 naturally class "A" pilots are less numerous than others
20 and class "A" doing the work of classes "B" and "C" can
21 all be employed. So you must reserve them and that is why
22 you ask for ten hours notice?

23 THE WITNESS: Yes.

24 Q. Article 63: "A pilot of class "A" who
25 must take a train in class "B" will no longer be available
26 for class "A" at the station where he will have been called
27 as pilot of class "B" unless there is an emergency."

28 A. It is very simple. Upon the request for
29 transfer of pilots from one station to another, as all
30 pilots are on the general list, we have a list known



1 FRENCH

2 today for pilots of class "A", in order to order pilots
3 on the class "A". But the same name is shown on the
4 general list. So the one at the bottom of the list, in
5 other words, "A" pilot -- a pilot of class "A" should
6 take a train -- though in the general list if there was
7 a request for a transfer from a pilot by train and that
8 one pilot of class "A" is among those who take a train
9 in order to change stations, according to that they are
10 no longer pilots of class "A" because he has transferred in
11 order to serve the other station who is not a class "A"
12 pilot. So he remains class "B".

13 Q. So he remains class "B" unless there is an
14 emergency at the last moment?

15 A. If there is a class "A" ship which arrives
16 he will be used as a class "A".

17 THE CHAIRMAN: So at that time he would be a
18 class "B" pilot. So you can not change his class; otherwise
19 there would be no vacancy?

20 THE WITNESS: That is correct.

21 Q. Article 64: "A pilot of class "A" when
22 he is ordered, if there is a cancellation, will be able
23 to take back his turn in class "B" according to his
24 arrival time. If his time is passed, he will be placed second
25 in turn."

26 A. Well, if a ship of class "A" had ordered
27 a pilot, we dispatch the pilot and later on we find out
28 there has been a cancellation.

29 Q. So then you allow the pilot of class "A"
30 to make exactly the same number of turns as the other



1 FRENCH

2 pilot?

3 A. Yes.

4 Q. So if he has been reserved as a pilot of
5 class "A" and you do not avail yourself of his services,
6 he can take back his turn in class "B" and take other
7 ships according to his arrival time and if his turn is
8 passed he is placed second in turn?

9 A. So as to keep his average.

10 THE CHAIRMAN: This is the situation that might
11 have happened the other day as regards the "Homerich"?

12 THE WITNESS: Yes.

13 Q. Article 65: "The pilot of class "C" must
14 get the ship for which he has been ordered at Batiscan,
15 St. Jean and Sorel."

16 A. Pilots of class "C" as I mentioned before,
17 "C-1" up to 2000 tons, "C-2" up to 3000 tons, and "C-3" up
18 to 4000 tons. As there are less ships of class "C" they
19 are not numerous as those of class "B". When a pilot of
20 class "C" is ordered for a ship, he stays aboard his
21 ship and it is a way to avoid making the class "C" wait
22 unnecessarily on the list. If a class "C" was replaced
23 by a ship of class "B", there will be another confusion.
24 As class "C" is ordered, well he can not change.

25 Q. Article 66: "If a pilot in class "C" is
26 first in turn followed immediately by a pilot of class
27 "B" both will be considered as first in turn." I think Mr.
28 Viau explained that clearly. There must always a pilot
29 of class "B" available for ships?

30 A. Yes.



1 FRENCH

2 THE CHAIRMAN: The greatest traffic takes place
3 with class "B"?

4 THE WITNESS: Yes.

5 Q. Article 67: "Pilots of class "C-1" will
6 be exempted from taking trains."

7 A. For the very good reason that if we have
8 five "C-1's" and following that another ship in Three Rivers
9 makes a request of pilots by train and if we have "C-1",
10 he will be "C-1" and for all ships going upstream "C-2",
11 Well, Three Rivers has no pilots and we send only "C-2",
12 "C-3", "C-3" and "B" pilots because most ships are of
13 more than 2000 tons.

14 THE CHAIRMAN: They will not be forced to take
15 a train in their turn like the others of class "B" who
16 would be forced to do so?? That is, to take trains?

17 THE WITNESS: Yes.

18 MR. JACQUES: When we say exempted from taking
19 trains, that means they are not subject to be changed from
20 one to another.

21 Q. Now, before going any further, I think that
22 during the last weekend there was an event which has to do
23 with pilots' discipline. I think that the pilot reported
24 on board a ship and was refused by the ship's master
25 because that pilot was intoxicated. That pilot was later
26 on sent to a second ship and the ship master of that second
27 vessel also rejected this same pilot, for the same reason.
28 Can you please relate this incident to the Commission,
29 without mentioning the name of the pilot, naturally?

30 A. Well, this happened last Saturday when we



1 FRENCH

2 were at Cap St. Michel. We saw the "Thors Carrier"
3 passing and it was the first ship that rejected the pilot
4 dispatched. The ship master refused him because he was
5 intoxicated. After having consulted with Mr. Viau, the
6 clerk put back the pilot in turn. Later on, during the
7 evening the pilot was dispatched to do another ship and
8 once more he was rejected. Of course, these cases are
9 extremely delicate ones and they are difficult to handle
10 because normally the ship masters refuse to make written
11 statements about it. If we have no written statement,
12 naturally we have no basis. So, when the pilot phoned
13 me at home during the evening, after I came back he asked
14 me if he could come to see me so that I could decide about
15 his state or condition. But, I said no. I thought if he
16 came to see me I was not in any position and naturally
17 if he was trying to be protected by me it would not be
18 any good if I had a written statement by the ship master.
19 So I told him to go to the medical clinic and have tests,
20 blood tests made and to see that a physcian checked his
21 condition. I did not receive any information that he
22 followed my advice and, naturally, I was down here for
23 a good part of the week and the pilot is still on duty.
24 On Monday I am going to have him struck off the list. I
25 received a complaint from the ship master of the "Thors
26 Carrier" and I am going to receive a written statement
27 of the ship's master of the Sterno and I will call upon
28 the pilot.

29

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30

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1 FRENCH

2 Q. Following the first complaint that you
3 received could you give us the details of what might have
4 happened, or the procedure that was followed? A pilot
5 is despatched to a ship. He reports on the ship, and the
6 ship's master refuses him. What happens to the pilot then?

7 A. He goes back to the station.

8 Q. Who does he see at the station?

9 A. There were other pilots at the station.
10 One on duty and the other one on pilotage.

11 Q. So at that time did somebody contact you
12 upon the return of the pilot to the station, after the
13 first rejection?

14 A. Well, the first time I was already working
15 at the Commission. I wasn't at my office. I contacted
16 Mr. Viau, and Mr. Viau was wondering whether to put the
17 pilot back on duty, or send him home.

18 Q. According to Mr. Viau what was the situa-
19 tion?

20 THE CHAIRMAN: Well, we are going to call Mr.
21 Viau and question him about that.

22 What happened about the ship?

23 THE WITNESS: There was a delay of barely a few
24 minutes.

25 Q. So in those cases where a ship's master
26 refuses a pilot, do you wait for the pilot to get back to
27 the station before despatching another one? What is the
28 procedure there?

29 A. Well, naturally I don't think that an agent
30 would represent a ship's master to whom the ship's master



1 FRENCH

2 asks the person to reject a pilot. Well, I don't think
3 this is done lightly. In those cases which are serious
4 enough, and we are sure of the facts, and we are sure that
5 the agent representing the ship's master has thought
6 about everything, and that the case is serious, conse-
7 quently we replace the pilot immediately, and after that
8 we make an inquiry.

9 Q. In the first case of rejection who decided
10 that the pilot was intoxicated?

11 A. Well, the agent. This is what the master
12 told me.

13 Q. As soon as you received this information
14 from the agent you despatched another pilot?

15 A. Yes, the office sent another pilot immedi-
16 ately.

17 Q. Is that the normal procedure followed?

18 A. Yes. In all cases whenever certain inci-
19 dents of that type occur, locally we don't have a lot, so
20 this pilot was put back on the list as I told you accor-
21 ding to people who were in the office at that time.

22 Q. And Mr. Viau arranged to put him back in
23 turn?

24 A. Yes, and he was despatched to another ship.

25 Q. So how was your station told about the
26 second rejection?

27 A. I think it was from the agent once more.

28 THE CHAIRMAN: The same agent, or another one?

29 THE WITNESS: Another agent, my lord.

30 Q. And when the agent complained did you send



1 FRENCH

2 another pilot?

3 A. We despatched another pilot immediately, and
4 the rejected pilot came back to the office.

5 Q. According to your records would it be
6 possible to find out exactly what delays elapsed between
7 the time when the first pilot went on board the first ship
8 and the time at which the second pilot went on board the
9 first ship, and the same for the second ship? Could you
10 please obtain this information for the September hearings,
11 in order to establish what delay was caused to the ships
12 involved?

13 A. Yes.

14 MR. JACQUES: Thank you.

15 THE CHAIRMAN: We have seven minutes. I under-
16 stand that there was an agreement between counsel in order
17 to confine the questioning of this witness to the direct
18 examination up till now.

19

20 CROSS-EXAMINATION BY MR. LALONDE:

21 Q. These bylaws for the administration of
22 assignments of the pilots of the Montreal and Quebec
23 Districts, which are filed as an exhibit, these bylaws
24 have been prepared in close co-operation with the St.
25 Lawrence Corporation of Pilots; is it not a fact?

26 A. Yes.

27 Q. If I understand properly you hold many
28 meetings with the pilots concerning these bylaws every
29 year?

30 A. Yes. I would like to correct something



1 FRENCH

2 here. I think I stated yesterday that we have been doing
3 that for the past five years. Well, it is for the past
4 three years.

5 Q. And if I understand properly the pilots
6 themselves approached you in order to have these bylaws
7 written, so as to facilitate the administration of that
8 assignments list?

9 A. As I mentioned yesterday, when I talked
10 about the historic aspects of it, we had started to draft
11 certain general bylaws, and it was following that, as we
12 got good results, and that the despatching was going to be
13 more and more complex, we had to establish basic bylaws,
14 so that all pilots would be aware of the administration in
15 the District.

16 Q. Do you think that these bylaws have
17 increased the efficiency of the pilotage service?

18 A. Enormously.

19 Q. Have they improved the service rendered to
20 the vessels?

21 A. Well, of course, naturally.

22 THE CHAIRMAN: This is a revision of all the
23 bylaws that have been implemented since 20 years?

24 MR. LALONDE: I think it is more than that, my
25 lord.

26 THE CHAIRMAN: So you proceeded to make a revi-
27 sion from the beginning, and have completed the scope of
28 the bylaws?

29 THE WITNESS: Yes.

30 Q. I see that in Article 11 of these bylaws



1 FRENCH

2 you state that when a pilot is ordered for a ship he must
3 go and meet with the ship's captain and discuss the condi-
4 tions.

5 Do you think that that visit is entered by the
6 ship's master on the pilotage card?

7 A. No, it is not shown on the card.

8 Q. So this is not considered as work accom-
9 plished by the pilot?

10 A. Well, this is not mentioned on the pilotage
11 card, on the pilot's source form. This is a question of
12 navigation.

13 Q. And the time that he would use for that
14 would not be calculated as work done by the pilots at the
15 end of the year in your statistics?

16 A. No, this depends on the hour at which the
17 pilot boards the ship. If he boards a few moments in
18 advance, he takes these few minutes in order to discuss
19 with the ship's master, but there is no mention about it
20 on the pilot's source form.

21 THE CHAIRMAN: On the example, Exhibit No. 556,
22 time reported 1665 and sailed time 17 hours. So there was
23 five minutes for discussion between the ship's master and
24 the pilot.

25 Q. Reported time on the source form is the
26 hour for which the pilot has been ordered by the ship?

27 A. Well, I would like to clarify this. On the
28 source form you have the first square, which is the ordered
29 time. This represents the hour at which the pilot has been
30 ordered, and the pilot is supposed to write down the hour.



1 FRENCH

2 THE CHAIRMAN: And if he is called at noon he
3 must enter called by your office, and not called by the
4 vessel?

5 THE WITNESS: Let us say, for example, that a
6 vessel asks for a pilot at 1400 hours. We call the pilot
7 at 1200 hours, so the pilot indicates 1200 hours in the
8 first square, and in the second square 1400 hours. That
9 is the required time for arrival on board. Even if he
10 gets there 12 or 10 minutes in advance it is not mentioned.
11 If he leaves at 17 hours, this gives us our detention
12 calculation time; the difference between 14 and 17 hours.

13 THE CHAIRMAN: Here it is ordered time 16 hours,
14 so you have 'phoned him at 16 hours, and you have asked
15 him to report at 1655, so he might have reported there at
16 1630 -that is 25 minutes in advance - but he is going to
17 indicate only the hour at which he was asked to report?

18 THE WITNESS: Yes.

19 Q. So the reported time, for all practical
20 purposes, is the hour at which the vessel wants the pilot
21 on board?

22 A. Yes.

23 Q. And normally the pilot would be there a few
24 minutes in advance?

25 A. Yes; and in the case of a pilot on the
26 "Empress of Britain," for example, the pilot went at least
27 25 minutes, or half-an-hour, in advance of the reported
28 time.

29 Q. So you have no records of that? You have
30 no way of knowing when the pilot reported on board the



1 FRENCH

2 ship?

3 A. In fact ---

2 4 THE CHAIRMAN: I emphasize once more, reported
5 time is not a fact, it is an order. It is the ordered
6 time, the requested time. It is not the fact of the
7 arrival of the pilot on the ship.

8 MR. LALONDE: No, this is not shown on the card,
9 and the fact of arrival normally precedes the hour indi-
10 cated on the card as reported time. Is that right?

11 THE WITNESS: This is a fact. That is it.

12 THE CHAIRMAN: Do you have any further questions
13 to ask about this particular point?

14 MR. LALONDE: Only one question, my lord, having
15 to do with Article 11.

16 Q. At Springtime I am led to understand that
17 pilots may be called to go oftentimes on board ships, in
18 order to discuss the temperature conditions in particular
19 before the departure of a ship?

20 A. Yes.

21 Q. And it might be decided, as in the example
22 you gave, not to leave at the given time, but to delay the
23 departure a few hours, and the pilot will come back, and
24 perhaps this second time he will have to delay departure
25 once more.

26 In such cases you have no indication on the
27 source form, or the card, about the time spent by the
28 pilot in these duties?

29 A. Well, if a ship requests a pilot aboard in
30 order to leave - you mentioned the Springtime, but it



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2 might be the Fall also for bad weather. If the pilot was
3 ordered for 6 o'clock in the evening, and because of bad
4 weather the pilot asks the master to delay the departure
5 till the next morning for the safety of his ship, the
6 pilot is going to write reported time on his card, and
7 indicate that he went there at 6 o'clock at night, and
8 left in the morning.

9 Q. And his detention time is calculated for
10 the whole night?

11 A. No, not in those cases.

12 Q. So there is no detention time according to
13 your bylaws because of stress of weather?

14 A. That is right.

15 Q. So there won't be any indemnity, and more-
16 over, this won't be shown; this will not be indicated in
17 your calculations before 6 o'clock the next morning?

18 A. No, because when he leaves the pilot indi-
19 cates the real hour of his departure the next morning in
20 order to fill in the whole card.

21 Q. And you must find out the true hour of his
22 departure?

23 A. Well, I don't do those calculations myself.

24 Q. Article 12; you refer to a period of rest.
25 If I understand properly, those are periods which have been
26 established during which a pilot will not be despatched?

27 A. This is true.

28 Q. Is it not true, however, that the pilot may
29 be called again in case of need, even during his rest
30 period?



1 FRENCH

2 A. Yes, this is a fact.

3 Q. Consequently he may be called at any time?

4 A. Well, if there is a need for him, well, we
5 are going to 'phone him at home, and even if needed, we are
6 going to call those who are on leave.

7 THE CHAIRMAN: Article 11: When a pilot is
8 ordered on a ship, as in the example here, at 1655, if he
9 arrives at 1655 he is not late, but then he will have to
10 discuss with the captain, and he will take all the neces-
11 sary time, and if it takes half-an-hour the ship is going
12 to leave half-an-hour later, so we will have a difference
13 here. Either the pilot arrives before time and has time
14 to discuss with the ship's master, or he arrives at 1655
15 and it takes only five minutes.

16 MR. JACQUES: In relation to Exhibit No. 556 and
17 the hours mentioned, reported time, if my memory is
18 accurate, was indicated by Mr. Viau as being the effective
19 arrival hour of the pilot on board the ship.

20 THE CHAIRMAN: That is why I had this point
21 checked. So, if need be, we will hear some more evidence
22 about that, but it has been indicated that the reported
23 time is the hour at which a pilot was ordered to get on
24 board a ship. This is not the fact of arrival, but rather
25 the fact of order.

26 MR. JACQUES: I would like to submit the evidence
27 of Mr. Viau on that point, my lord.

28

29 --- At 1:05 p.m. the hearing was adjourned until 2:30 p.m.

30



/md

1 FRENCH:

2

3 --- Upon commencing at 2.30 p.m.

4

5 MR. JACQUES: If it please the Commission,
6 there has been quite a debate right after the adjournment
7 this morning about the time which should be inserted in
8 the space which is indicated as the reported time on
9 exhibit 556 and I must confess that there are differences
10 of opinion. Some claim that it is the time at which the
11 pilot went on board which should be entered in that
12 space; some others say that it is the time at which the
13 pilot has been ordered to go aboard.

14 I am also advised, my lord, that a conference
15 has been called in Quebec some time ago and Mr. Gendron,
16 who used to be Regional Supervisor, was present in order
17 to explain what the expression "reported time" meant.
18 In any case, your lordship, in September we will submit
19 to the Commission some of the different opinions on this
20 question.

21 THE CHAIRMAN: You did not verify the testimony
22 of Mr. Viau yesterday?

23 MR. JACQUES: As far as Mr. Viau is concerned,
24 we may remember that in his testimony he said that in
25 this space we should put the time at which the pilot
26 went on board. Mr. Lalonde tells me that when he
27 examined him, Mr. Viau gave a contrary answer and I think
28 that my learned friend is right because I remember that
29 Mr. Lalonde asked the question and Mr. Viau said "Yes".

30 THE CHAIRMAN: But we know that this is a point



1 FRENCH:

2 which is not clear. Secondly, something which we would
3 like to know is what did the pilots put up to date in this
4 space?

5 MR. JACQUES: This would be difficult to
6 establish before the Commission because certain pilots
7 put the time at which they come on board and some pilots
8 put the time at which they are scheduled to report.

9 THE CHAIRMAN: This means that there will need
10 to be some improvement in this form.

11

12 CROSS-EXAMINATION BY MR. LALONDE: (continued)

13

14 Q. Mr. Melanson, this morning I think you
15 were asked to produce a document. I have a copy here
16 which is called "Final List of Rest Periods for the 1963
17 Season, Section Quebec-Three Rivers".

18 A. Yes. This has been produced already
19 and here you have the Montreal-Three Rivers.

20 MR. LALONDE: With your permission, could we
21 deposit this document as being the complete list of rest
22 periods for the 1963 season. It is a complete list of
23 rest periods for the pilots of the Montreal District going
24 on the St. Lawrence River, between Quebec and Montreal.

25

26 --- Exhibit No. 569a: Complete list of rest
27 periods for pilots of
28 Montreal district on
29 St. Lawrence River
30 between Quebec and
Montreal.



1 FRENCH:

2 Q. This morning, Mr. Melanson, when we
3 adjourned I asked you if the pilot in his rest period
4 could be called and you answered "Yes"?

5 A. Yes. The answer was "Yes".

6 Q. According to the list which was produced
7 concerning the District of Montreal and for river pilots,
8 I think that I can understand that there is one period of
9 three days for a pilot in the months of May and June, one
10 period of three days for those two months, a period of
11 five days for the two months of July and August and a
12 period of three days for September and October?

13 A. Yes, this is right.

14 Q. This would mean a total of eleven days?

15 A. Eleven days is right.

16 Q. As far as absences are concerned, Mr.
17 Melanson, is it not true that the Central St. Lawrence
18 Pilots' Corporation has frequently made representations
19 to you in order to try to reach a system which would
20 establish a strict control on absences and reasons for
21 such absences?

22 A. Yes, this is right.

23 Q. And that the Corporation has always
24 insisted on seeing that absences would be reduced to the
25 minimum?

26 A. This is right. I have always had the
27 greatest cooperation from the Pilots' Corporation and we
28 have tried together to improve the service.

29 Q. I would like to ask you a question deal-
30 ing with discipline generally. Is it not a fact that the



1 FRENCH:

2 Pilots' Corporation has also insisted asking that very
3 strict discipline be applied?

4 A. Yes, this is true.

5 Q. Did you ever have representations from
6 the Corporation or from officers of the Corporation with
7 regard to obtaining a discipline that would be not so
8 strict?

9 A. No, never this kind of representation.

10 Q. I refer you to paragraph 41 of the By-
11 laws which you have submitted to the Commission. When a
12 pilot interrupts a trip for the convenience of a ship,
13 let us say, at Sorel, and he takes it over again afterwards,
14 you mentioned that this was two acts of pilotage?

15 A. Yes.

16 Q. So this way there is no allocation, there
17 is no account which is being taken of the hours which he
18 spent outside of the period spent between those two trips?

19 A. No, because a pilot, when he arrives in
20 Sorel, reports as having completed his trip. He remains
21 at the disposal of the Sorel office, if he is asked to
22 remain there, and he reports back on board at the requested
23 time and there is no charge between those two trips.

24 Q. In Article 46, you have explained the
25 reason why the pilots who were changing turns took the
26 place one of another and you have said that this was a
27 question of convenience between the two pilots. But,
28 isn't there also a question of fairness for the other
29 pilots who are on the list so that they will not be dis-
30 placed at all in their turns by a change of turns between



1 FRENCH:

2 tw6 pilots? I will ask the question once more. The fun-
3 damental reason why the pilots who change turns take each
4 other's place on the list --- is not the fundamental
5 reason in order to avoid prejudice to the other pilots on
6 the list between the two pilots, so that they do not lose
7 their position on the list?

8 A. When they change turns, they take each
9 other's turn. It is for the convenience of the pilot who
10 wants to go earlier.

11 Q. But you put one back in the place of the
12 other not to create a prejudice to the third pilot?

13 A. That is correct. If one was seventh and
14 he changes with one who is twenty-fifth, he goes to twenty-
15 fifth, and the one who is tenth must remain tenth and does
16 not suffer any prejudice.

17 Q. A pilot who, with no reason, misses his
18 turn, can be sanctioned by you?

19 A. Well, a recommendation of a sanction.

20 Q. A recommendation of a sanction which is
21 made to the Pilotage Authority in Ottawa?

22 A. Yes.

23 Q. Can you tell us if the Pilots' Associa-
24 tion can also take monetary sanctions against such pilots?

25 A. I know that the Association does take
26 such monetary sanctions, yes.

27 Q. Paragraphs 54 and 55, "Moveages",
28 especially 55. If a pilot makes a moveage in the Montreal
29 District, is this counted as one trip?

30 A. No, sir.



1 FRENCH:

2 Q. In the statistics which have been compiled,
3 where we said that a pilot of the Montreal District will
4 have 123 trips in the year, does this include moveages?

5 A. No, sir. There are no moveages included
6 in that.

7 Q. And the hours for moveages, are they
8 entered in the calculation of the work load of the pilot
9 at the end of the year?

10 A. This is done by the Department in Ottawa.

11 Q. You are not aware?

12 A. We do not do it here in Montreal.

13 Q. But you are sure that moveages are not
14 considered as trips?

15 A. I am absolutely sure.

16 Q. You spoke about the investigation which
17 you were conducting in regard to a pilot who was implied
18 in a complaint which you received last week --- a double
19 complaint. Is it not true that this pilot is not a mem-
20 ber of the Central St. Lawrence Pilots' Corporation?

21 A. I think that he is not a member of the
22 Corporation.

23 MR. JACQUES: Now, coming back to moveages of
24 ships in the harbour and the statistics which we have had
25 about Mr. Omer Arcand, can you tell us for the month of
26 August, 1962, the month for which these statistics have
27 been compiled, the number of moveages which Mr. O. Arcand
28 will have made either in Montreal, or Sorel or Contrecoeur?

29 THE WITNESS: In addition to the indicated
30 trips?



1 FRENCH:

2 MR. JACQUES: Yes, in addition to the indicated
3 trips?

4

5 CROSS-EXAMINATION BY MR. LANGLOIS:

6

7 Q. Mr. Melanson, coming back to the questions
8 which have been asked you by Mr. Lalonde, referring to
9 Article 11 of the By-laws, exhibit 465, does it not
10 happen that a pilot would be asked to advise the captain
11 or the shipping company of a ship without going aboard
12 the ship?

13 A. Yes. That a pilot would be asked to
14 advise them.

15 Q. For instance, is not a pilot asked, in
16 certain cases, certain information as to navigation
17 conditions, which is outside the duty of a pilot?

18 A. Well, the pilot goes on board with
19 information which he gives.

20 Q. Doesn't it happen that your office is
21 called asking to speak to a pilot, asking him for his
22 advice about a manoeuvre of such a ship at such a time,
23 at such a place and under such and such conditions?

24 A. Yes. It happens some times.

25 Q. And the time that the pilots take giving
26 this advice is not at all represented in these statistics?

27 A. No, it is not taken into account.

28 Q. This morning we also had the case of a
29 ship which had been delayed because of the pilot. Do you
30 not also have ships which are delayed because of the



1 FRENCH:

2 captain, the shipping company or the agent?

3 A. No, we do not have that. But if the
4 pilot is very long, necessarily the pilot will indicate
5 this on the source form and this might bring about a
6 detention.

7 Q. If the delay goes over one hour?

8 A. This is right.

9 Q. Now, you have also mentioned the case of
10 pilots who have been refused by captains or shipping agents
11 for reasons such as too much alcoholic liquor. Did you
12 have reports of pilots who hesitated to go on board be-
13 cause the captain maybe had too much to drink?

14 A. I did not have any written notice of
15 this, but some pilots have mentioned this to me.

16 Q. You mentioned this morning, dealing with
17 the incident during the weekend which has been mentioned
18 several times already, that Monday you would conduct an
19 investigation and that you would take the pilot outside
20 the list?

21 A. So that he can report to my office.

22 Q. Yes. Suppose that the result of the
23 investigation is that he is not guilty, will he receive
24 compensation for the turn which he will lose?

25 A. I do not think so.

26 Q. Is it not a fact that quite often pilots
27 are taken out of the list in order to appear at such an
28 investigation for things for which they are not guilty
29 and that they do not receive any compensation for the
30 turns which they lose?



1 FRENCH:

2 A. Yes.

3 Q. Is it not also a fact that pilots are
4 taken out of the list for long periods at the request of
5 Ottawa, for investigation purposes?

6 A. This can happen, yes.

7 Q. And, once again, there is no compensation
8 for the turns which they have lost?

9 A. Not according to my knowledge, no.

10 MR. LANGLOIS: Thank you.

11

English 12 CROSS-EXAMINATION BY MR. MASON:

13

14 Q. Mr. Melanson, in reply to a question
15 asked by my friend, Mr. Lalonde, you did agree that the
16 pilots had on some occasion or other advocated strict
17 discipline. In what matters would this strict discipline
18 be in connection with?

19 A. To go as far as the by-law permits on my
20 part and to make due representations to the authorities
21 if there is a case of any suspension coming to the pilot,
22 and to go right to them.

23 Q. You further indicated that you had
24 knowledge that the Pilots' Association has made certain
25 monetary sanctions against pilots?

26 A. That is on their own.

27 Q. You do not know what sort of sanction
28 this would be?

29 A. No. But I know they do take some action
30 at the Corporation office.



1 ENGLISH:

2 MR. MASON: Thank you.

3
4 FRENCH

5 CROSS-EXAMINATION BY MR. BRISSET:

6
7 Q. Mr. Melanson, you have told us this
8 morning that when a captain decides to refuse a pilot,
9 a decision which is transmitted to you by the shipping
10 agents, you always had reason to believe that the incident
11 was serious or that the reason was serious?

12 A. Certainly.

13 Q. In the case which has been discussed this
14 morning, the case of the "Thors Carrier", actually there
15 is no reason to doubt that the refusal of the captain to
16 accept the pilot who had been sent aboard that ship was
17 based on serious reasons and that there might have been
18 drunkenness?

19 A. It would be difficulty for me to think
20 that a captain would make such an accusation without
21 believing at least himself that such an accusation is
22 proper and based on facts.

23 Q. I would like to refer you to section 14,
24 subsection 3 of the General Regulations of the Montreal
25 District Pilotage Regulations, which reads as follows:

26 " The Supervisor, if he has reasonable
27 reasons to believe that the faculties of a
28 pilot or an apprentice who is about to go on
29 a ship are weakened by the use of alcoholic
30 beverages, must right away take the name of



1 FRENCH:

2 the pilot or the apprentice outside the list
3 and conduct an investigation and submit his
4 report to Ottawa."

5 I do not want to put you on the spot person-
6 ally, but in this case would it not be proper to take the
7 name of the pilot who has been refused by the captain of
8 the "Thors Carrier" out of the list until such time as
9 you have been able to conduct an investigation?

10 A. This states "if he has reasonable reasons
11 to believe ---". I did not have that. I had to wait for
12 the written complaint of the captain which I have received.
13 But on the same day I had to base myself on something.
14 I had not seen the captain. I was not there to see the
15 pilot and before having reasonable reasons to believe
16 that the faculties of this pilot were weakened by the
17 use of alcoholic beverages, I needed something I needed
18 something more specific before I could take his name off
19 the list.

20 Q. Do you not think that it would have been
21 more prudent to take the name out of the list because if
22 you received the report of the captain three or four days
23 later, it is too late to take this measure of taking the
24 pilot's name off the list?

25 A. Well, here is what we do. At the office,
26 the pilot after being refused has reported to the office.
27 Therefore, he was there before two pilotage clerks and
28 there also were other pilots who were there and before
29 being left on the list, Mr. Viau, to whom he was referred,
30 has taken this information, has asked the clerk what was



1 FRENCH:

2 his impression, if he thought we had reason to think that
3 this was the case. Now, according to the testimony, the
4 pilot was perfectly normal, according to the people who
5 saw him in the office. So there was a doubt right away
6 and in order not to unduly take the name of the pilot off
7 the list before it is proven that there is something which
8 is not normal, there are certain precautions to take
9 because we would have trouble also if we unduly took his
10 name off the list.

11 Q. Do you not think in a case like this,
12 even if there is a doubt, you are not taking a chance and
13 your clerk should at least leave up to you the decision
14 and, in the meantime, take the name of the pilot off the
15 list?

16 A. As soon as I take the name off the list,
17 there is prejudice.

18 Q. But you realize that there can be
19 greater prejudice if he is sent in a state like the one
20 in which he has been described to board a ship?

21 A. Yes. But really, according to the
22 captain's report, if the pilot had been in such a state
23 that the complaint indicated and if this had been true,
24 I am certain that amongst the four persons who saw him
25 at the pilotage office, there would be at least one who
26 would have seen that it was true that he was drunk.

27 Q. In any case, you will go on with your
28 investigation and you will give us the reasons why this
29 same pilot, a few hours after that, has been refused by
30 the captain of another ship who didn't seem to be aware



1 FRENCH:

2 of the first incident because it was not the same shipping
3 company?

4 A. Yes, this is right.

5 Q. Mr. Melanson, I draw your attention to
6 regulation number 10 of exhibit 465, which reads as
7 follows:

8 " When a ship stops in Quebec for quaran-
9 tine, a pilot will be requested only when the
10 captain asks for the pilot. This ship will
11 be considered as a ship in the harbour."

12 Has the application of this by-law created a
13 delay for a certain ship?

14 A. No.

15 Q. There would have been no case where there
16 would have been a delay because of article 10?

17 A. No, not for quarantine in Quebec, never.

18 THE CHAIRMAN: We can check that when we go
19 to Quebec.

20 Q. I draw your attention now to by-law
21 number 11, the second part:

22 " On the advice of this pilot, if the ship
23 is delayed for safety reasons, the pilot must
24 remain and he must advise the interested
25 parties at which time the ship will leave."

26 In the case where weather makes it impossible
27 for the ship to leave, who decides if the pilot must
28 remain on board or must leave the ship?

29 A. Well, in the case of bad weather, the
30 pilot has no reason to change ship. He is on that ship



1 FRENCH:

2 and he has to pilot the ship.

3 Q. Will he remain aboard the ship or will
4 he go to the shore?

5 A. Well, he will go ashore; he will stay
6 aboard the ship. That will be an agreement between him
7 and the captain. The next day he can make an agreement
8 with the captain and say "When you are ashore in safety,
9 I will go ashore for the night."

10 THE CHAIRMAN: There could be cases where there
11 could be a combination of different factors. For example,
12 where you need tide to take up the ship because of the
13 draught or if you cannot go before a certain time, he
14 will have to wait until the next tide, seven hours later.
15 This could be one case where the pilot could go ashore.

16 Q. If the pilot remains on board at the
17 request of the captain and if the delay is more than one
18 hour, is he entitled to remuneration for this?

19 A. No, not in the case of bad weather.

20

21

22 -

23

24

25 -

26

27

28 -

29

30



1 FRENCH

2 Q. As far as the harbour pilots are concerned
3 there are no grades there? They are all of the same grade?

4 A. This is right.

5 Q. The harbour pilots are pilots who are
6 specially trained for movages of ships, for instance,
7 within the limits of the Harbour of Montreal?

8 A. Yes, this is their only occupation.

9 Q. You have told us that sometimes movages
10 have to be made outside of the Harbour of Montreal, like
11 Varennes, Contrecoeur, and Sorel?

12 A. Yes.

13 Q. In the case of these movages you call for a
14 river pilot, actually, because the movage is outside the
15 boundaries of the zone of the area of activity of the
16 harbour pilots?

17 A. Yes.

18 Q. All the work done by the river pilots is
19 exactly the same nature as that done by the port or the
20 harbour pilots?

21 A. Yes.

22 Q. You have also mentioned - and here I would
23 like to draw your attention to Article 14 of the Bylaws:
24 Any pilot who will have to anchor at Longue Pointe for a
25 short period of time will have to give the appropriate
26 signals to Cap St. Michel, in order to give time enough
27 to send a pilot from the harbour.

28 You have underlined the fact that there will be
29 a changeover of pilots, but you didn't explain what should
30 be understood by "a short period of time." What does it



1 FRENCH

2 mean, "a short period of time"?

3 A. Well, simply due to the fact that if a ship
4 is going to anchor at Longue Pointe, even if it is only
5 for five minutes, knowing that the river pilot should give
6 the proper signal so as to be relieved by a harbour pilot.

7 Q. So every time there will be a changeover of
8 pilots?

9 A. Yes, normally.

10 Q. All ships coming from the ocean and all that
11 do enter the Seaway must stay at Longue Pointe for a while,
12 for an inspection?

13 A. Supposedly, yes.

14 Q. So in all these cases there will be a change
15 of pilots at Longue Pointe?

16 A. Yes.

17 Q. Now, if you have a ship which has to anchor
18 at Lanoraie because there is a great deal of traffic
19 either in Montreal Harbour or in the Seaway, there will
20 also be a changeover of pilots at Lanoraie. Is that true?

21 A. Yes; a river pilot, but not necessarily.
22 It all depends on the length of time.

23 Q. What time is required so that there will be
24 a change of pilots?

25 A. If a ship stays at anchor in Lanoraie more
26 than a day, the ship's master will send back the pilot and
27 order another one at the appropriate time.

28 Q. Let's take the case of a ship which has to
29 enter the Seaway, and would have to anchor at Lanoraie for
30 a given number of hours. There will be a changeover of



1 FRENCH ... on
2 pilots at Lanoraie from the river pilot who went up there,
3 a changeover by another river pilot going upstream. At
4 the point where she has to anchor, there will be a second
5 changeover of pilots, so that the river pilot will be
6 replaced by a harbour pilot?

7 A. Yes, because the ship is, as a matter of
8 fact, in the Montreal Harbour.

9 Q. And in all cases of these movages and
10 anchorages, Lanoraie to Longue Pointe and vice versa, where
11 you have a river pilot you must take into account the
12 grade of the pilot. That is, to send a Class A pilot when
13 the ship's tonnage is such that it requires a pilot of that
14 class?

15 A. Yes.

16 Q. If, in all this area, from Montreal to
17 Sorel, the harbour pilots had jurisdiction in order to do
18 that work, you would not have to look after this problem of
19 the different class of pilots that should be despatched to
20 ships?

21 A. No, because the Montreal Harbour pilots
22 have nothing like that.

23 Q. And in the hypothetical case I gave you of
24 a ship leaving Lanoraie in order to enter the Seaway, and
25 has to be inspected at Longue Pointe, the same pilot, if
26 he is a harbour pilot, could do that work, and remain on
27 board from Lanoraie until the time the ship reaches the
28 entrance to the Seaway?

29 A. Well, not necessarily. Everything would
30 depend upon the duration of the anchorage at Longue Pointe,



1 FRENCH

2 because the trip is over as soon as they anchor at Longue
3 Pointe.

4 Q. The inspection that is required by the
5 Seaway Authorities is an inspection that usually takes
6 how long?

7 A. Well, it varies. About an hour. It all
8 depends. Sometimes more.

9 Q. So we can surmise that if the harbour pilot
10 was already on board for a delay of one hour there would
11 not be a changeover of pilot. It would be detention time?

12 A. Perhaps, but there would be a movage just
13 the same, because of the fact that when the ship reaches
14 Longue Pointe this is the end of the trip, and even though
15 the harbour pilot would remain on board in order to
16 complete his trip to the Seaway it would still be a movage.

17 Q. But with the same pilot?

18 A. Yes.

19 MR. JACQUES: How many miles is it from Lanoraie
20 to Longue Pointe?

21 THE WITNESS: About 27, 28 or 30 miles.

22 Q. And from Longue Pointe to the entrance to
23 the Seaway?

24 A. Well, about five to six miles; or let us say
25 five miles, approximately.

26 Q. Mr. Melanson, while reading the bylaws for
27 the administration of the assignment list I see that
28 mention is made of pilots despatched by train? What are
29 the usual means of transportation?

30 A. Well, we try as much as possible when we ask



1 FRENCH

2 for the transfer of pilots that there be a train at their
3 disposal to take them to their destination. Most of them
4 like to travel by train, but, of course, with the traffic,
5 and without being quite sure in the despatching offices
6 that we will need additional pilots - sometimes we might
7 avail ourselves of other means, and there are even some
8 pilots who go with their own cars. Others take the bus,
9 and so forth.

10 Q. You told us also that at times it will
11 happen that you will have to send five, ten, fifteen, or
12 even more pilots at the same time from one station to
13 another.

14 According to your own experience, would it be
15 advantageous to choose a means of transportation that
16 would be standardized; for example, the rental of a station
17 wagon to transport the pilots?

18 A. Well, the transportation of pilots in great
19 numbers - 15 is a very rare occurrence. It is usually by
20 groups of five or three. We always try to maintain a
21 certain minimum of these requests for transfers, so that
22 the pilots won't travel uselessly.

23 Q. According to the system in force at the
24 present time are there any difficulties or delays by
25 reason of the means of transportation?

26 A. No, because, as you see, the Three Rivers
27 office, as well as the Montreal office, is aware of the
28 departure of trains and buses, so we try to calculate the
29 number of pilots needed so as to order them soon enough to
30 take advantage of the normal train or bus departures.



1 FRENCH

2 Q. So it happens seldom that there will be an
3 emergency which will require transportation other than the
4 normal means of transportation?

5 A. Well, this happens very seldom, and only in
6 the case of extreme urgency, and I am sure a pilot would
7 offer his car to the others, in order that they won't be
8 late, and the ship delayed.

9 Q. So, at any rate, no incidents stem from
10 this means of transportation?

11 A. No.

12 MR. LALONDE: Mr. Melanson, I am not the counsel
13 for the pilot you referred to who was involved in certain
14 incidents last week, but if I understand properly, though,
15 you have not started your inquiry about that as yet?

16 THE WITNESS: Well, I didn't have the opportunity
17 because I am detained here.

18 MR. LALONDE: So it won't be just for this pilot
19 to reach premature conclusions?

20 THE WITNESS: Of course.

2 21 THE CHAIRMAN: I understand just the same that
22 the section referred to by Mr. Brisset is a prevention
23 section and not a sanction one. For instance, when there
24 are doubts about someone you never despatch such a pilot
25 to a ship, because there might be an accident later on.
26 I understand very well what the witness has said to the
27 effect that the four pilots are always there. Perhaps the
28 prima facie evidence might have been so at the time that
29 the pilot went on the second ship. Perhaps something else
30 happened in the meantime, so we don't know.



1 FRENCH

2 MR. LALONDE: Well, I understand that there were
3 a few hours elapsed before the despatching of the pilots on
4 the two ships.

5
6 RE-DIRECT EXAMINATION BY MR. JACQUES:

7 MR. JACQUES: I think, my lord, we will have time
8 to study the Bylaws of the Montreal Harbour Pilots, which
9 I would like to file now.

10

11 --- EXHIBIT NO. 570: Internal Regulations applying to the
12 Montreal Harbour Pilots.

13

14 MR. JACQUES: The title of that exhibit will be
15 "Internal Regulations applying to the Montreal Harbour
16 Pilots."

17

18 Q. Could you please tell us when these bylaws
19 were adopted?

20

21 A. These bylaws were adopted for this year.

22

23 Q. Before that were there any such bylaws in
24 existence?

25

26 A. Yes. Last year some that were similar
27 existed.

28

29 Q. Were they written also?

30

31 A. Yes, they were written.

32

33 Q. Would you have kept the text of these older
34 bylaws at the office?

35

36 A. Yes, I think I have some at the office.

37

38 Q. The next time we sit in Montreal would you
39 please bring a copy of those with you?
40



1 FRENCH

2 A. Yes.

3 Q. This Exhibit No. 570 has been discussed
4 with the Pilots' Committee of the Montreal Harbour?

5 A. Yes, it is always after agreement with the
6 Committee, in order to have good administration.

7 Q. Have you also discussed these bylaws with
8 the shipowners?

9 A. No.

10 Q. With the owner of the tugboats working in
11 the Montreal Harbour?

12 A. No.

13 Q. Only with the pilots?

14 A. Yes, only with the pilots.

15 Q. The first item in these bylaws is a list of
16 turns. Do you have these bylaws in French?

17 A. I don't know if we have them in French,
18 because in Montreal Harbour we have eight English-speaking
19 pilots and eight French-speaking pilots, and normally all
20 these bylaws are drafted both in English and French.
21 Perhaps a French copy has been made as well. It is
22 possible.

23 Q. The first Article has to do with the list
24 of turns which has been reported by Mr. Viau. Were you
25 present when Mr. Viau testified to that effect?

26 A. Yes.

27 Q. Do you have any other comments to make in
28 addition to those he made?

29 A. No.

30 Q. The next item is pilots below three turns.



1 FRENCH

2 This has also been explained by Mr. Viau?

3 A. Yes.

4 Q. And the last entry has to do with rest
5 periods. Is that the same thing as the holidays taken by
6 the pilots during the summer?

7 A. Yes, it is about the same thing.

8 Q. So instead of being struck off the list at
9 6 o'clock in the morning they are struck off at 8 o'clock
10 at night; is that true?

11 A. Yes, I think the rest period starts at 24
12 hours. At 20 hours his name is taken off.

13 Q. Are those the only bylaws in existence?

14 A. Yes.

15 MR. JACQUES: Thank you.

16

17 CROSS-EXAMINATION BY MR. LANGLOIS:

18 Q. I understand, Mr. Melanson, that for this
19 rest period the pilot has his name struck off the list at
20 20 hours; but he starts his rest period at midnight?

21 A. Yes.

22 Q. So, if he is called at 1955 he has a chance
23 to do his turn?

24 A. Yes, and he will be struck off the list when
25 he gets back off that turn.

26 Q. Even if he is delayed, which may not happen
27 too often, his rest period will be shortened?

28 A. Yes, that is exactly the case.

29

30



1 FRENCH

2 BY MR. JACQUES:

3 Q. According to your experience, when the case
4 that has been stressed by Mr. Langlois occurs, do you
5 think that this shortening of the rest period is important?

6 A. Well, for the pilot who expects to start his
7 rest period at midnight, if he leaves a little before the
8 20th hour and his work is delayed, he can finish his work
9 at 3, 4, or 5 o'clock in the morning. That may happen.
10 It has happened, as a matter of fact.

11 Q. Normally what happens there?

12 A. Well, he must finish his work.

13 Q. Normally what is the excess of work, or
14 rather the duration of the excess work?

15 A. Well, this may vary from one hour to three
16 hours. Sometimes it is a little shorter.

17 Q. Now, when does that pilot start his work
18 again?

19 A. At midnight.

20 Q. Does he start only at midnight, or does he
21 start at 3, 4, or 5 o'clock in the morning?

22 A. As soon as he comes back from his rest
23 period his name is entered at the bottom of the list, and
24 in the morning, when the movages of ships occur, he can
25 work on the next morning, but if things are more quiet his
26 name is put on the list and adjusted at noon.

27 Q. So it may be that a pilot may, at the
28 beginning of his rest period, be delayed by four or five
29 hours?

30 A. Yes, it may happen.



1 FRENCH Q. Now, you say that

2 Q. And it may also happen that he will see his
3 real effective period of work being delayed four or five
4 hours after the time his name has been placed on the list?

5 A. Yes, it can happen.

6 Q. Would the same situation exist for the river
7 pilots?

8 A. Well, if it is necessary it may happen, yes.

9 Q. But do you think that the river pilot who
10 sees the beginning of his rest period delayed by a few
11 hours, does it also happen that he will have his work
12 period delayed by a few hours after his name has been
13 placed on the list?

14 A. When he comes back from his rest period his
15 name is put at the bottom of the list automatically.

16 Q. Does that mean that he starts immediately to
17 work?

18 A. Well, everything depends upon the number of
19 pilots available.

20 Q. So it may happen that a few hours may
21 elapse between the hour at which his name has been placed
22 on the list and the hour at which he will become, let us
23 say, the second in turn?

24 MR. JACQUES: My lord, would you like us to start
25 a new subject?

26 THE CHAIRMAN: I don't know. Not at this late
27 hour. We will suspend the evidence of this witness until
28 we return to Montreal.

29 This ends the first part of the Commission's
30 hearings in Montreal, and I would like to tell you on my



1 FRENCH

2 own and my colleagues' behalf that we have greatly
3 appreciated your great co-operation. It seems that the
4 work went well, although discussions were lengthy at times,
5 but we found out how extremely useful the interest is to
6 disclose the facts, and also their overtones.

7 We have accomplished, certainly, a good piece of
8 work, which will certainly serve to shorten the evidence
9 which would have had to be submitted by interested parties.
10 Actually, we are going to have some documents on the proce-
11 dure and work, and it will help everyone.

12 We will adjourn sine die, with the hope that we
13 will be able to come back to Montreal in September, but we
14 will have to find out if and to what extent the Commis-
15 sioners will be available in September. We hope that they
16 will be available, and if such is the case, which is quite
17 probable, we will tell you immediately what the tentative
18 dates would be.

19 We would be here for two weeks, starting
20 September the 8th and the 15th of September. We would
21 adjourn after that for another week, after which we would
22 come back on the week of the 29th for the necessary period
23 in order to end the Montreal hearings.

24 After adjourning for a little while we are going
25 to resume our work for the Great Lakes and Toronto. The
26 date, as I told you, is not quite definite at the present
27 time. We are awaiting certain developments, and as soon
28 as we are in a position to give you the exact date all
29 counsel will be so advised. There won't be any six weeks
30 notice. There will, perhaps, be noticed a week or ten



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2 days, as is only natural, but counsel will be directly
3 advised by the Secretary of the Commission concerning the
4 re-opening of the hearings.

5 Now, so far as we are concerned, we adjourn now
6 for the Quebec hearing, which will be held starting Monday,
7 July 22nd, and then afterwards we will go to Chicoutimi
8 and Churchill.

9 Do you want to know anything else before we
10 adjourn?

11 MR. LANGLOIS: My lord, I only have to ask you a
12 question. I don't want to anticipate your decision, but
13 there has been mention made of going back to Saint John,
14 New Brunswick, and I would like to find out if the date
15 has been decided upon.

16 THE CHAIRMAN: Concerning the New Brunswick
17 sitting, for those who aren't in the know, we have sat in
18 Saint John, New Brunswick, in February. A shipping
19 company, for one reason or another, had not sent us its
20 brief, and we had requested that shipping company to pre-
21 sent, if necessary, its brief in Halifax. When we received
22 it, well, we thought it would be a good idea to go back to
23 Saint John in order to undertake the investigation on the
24 site instead of at Halifax because of the number of
25 witnesses that had to be heard.

26 Consequently, after our sitting in North Sydney
27 we went to Saint John, New Brunswick, where we sat for two
28 days.

29 Unfortunately, despite the fact that we sat up
30 until 25 minutes before the departure of our limousine at



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2 five minutes to five, we were unable to finish our work
3 there. So we have suggested either that the interested
4 parties come to Montreal or Quebec, or that the Commission,
5 or rather the Chairman of the Commission, with the counsel
6 for the Commission, could go back in order to finish the
7 hearing outside of court.

8 The latter solution was adopted, and the Chair-
9 man, as well as the Secretary, a court reporter, and the
10 counsel for the Commission, will go to Saint John, New
11 Brunswick, on Monday, August 26th, in order to take the
12 necessary time to end that one matter.

13 The counsel at Saint John have been so advised,
14 and I think, Mr. Langlois, you will receive a copy of
15 that letter.

16 MR. LANGLOIS: Perhaps it is at my office in
17 Quebec. Thank you, my lord.

18 THE CHAIRMAN: The Secretary of the Commission
19 informs me that the letter was asking if that date was all
20 right for the interested parties, so if it is agreeable to
21 everyone, we will be there on the 26th.

22 Thank you, gentlemen.

23

24 --- At 3:30 p.m. the hearing was adjourned until the
25 22nd of July, 1963, at Quebec City, Quebec.

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BINDING SECT.

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